



Bord Measúnaíthe
Diobhálacha Pearsanta
Personal Injuries
Assessment Board



Annual Report 2022

5 Step Claim Process From Application to Award

Step 1 Application

If you have had an accident and you want to submit a claim:

- Complete an application form (Form A)
- Submit your medical report (from your treating practitioner)
- Pay the application fee €45 (€90 if you submit via post)

Step 2 Formal Notice

PIAB issues a legal document called a 'Formal Notice' to the person you hold responsible for your accident (Respondent) and/or their insurer

- The Respondent has 90 days to reply indicating whether they wish PIAB to assess the claim or not
- If YES, Respondent pays fee of €1,050 and PIAB proceeds
- If NO, PIAB issues you with a legal document called an 'Authorisation' which enables you to take the matter to court if you wish

Step 3 Claim Process

As part of this process, you will be required to:

- Attend an independent medical examination/s (where relevant)
- Submit a completed Schedule of Special Damages and Loss of Earnings Certificate (forms for out-of-pocket expenses, loss of earnings etc.)

Step 4 Claim Assessment

Once all information is received by us, PIAB can proceed to assess your claim. This will involve:

- Assessment of your claim based on the Personal Injuries Guidelines
- PIAB will issue you and the respondent with a Notice of Award. All parties will have the opportunity to review the assessment and accept or reject the award (Claimant has 28 days and Respondent has 21 days)

Step 5 Award or Authorisation

If all parties accept our assessment:

- PIAB issues an 'Order to Pay' (which has the same status as a Court Order) to the respondent or their insurers instructing them to pay the sum awarded to you by us
- If one or all parties do not accept our assessment: PIAB will issue you with a legal document called an 'Authorisation' which enables you to take the matter to court if you wish

Note: This is a simplified version of our process. Every application is considered on a case-by-case basis and exceptions may apply. For more details on our processes, **please visit our website www.piab.ie.**

Who We Are

The Personal Injuries Assessment Board (PIAB) is Ireland's independent State Body which assesses personal injury claims. PIAB was established in 2004 to support the fair, prompt, and transparent resolution of personal injuries claims without the need for unnecessary litigation. PIAB is a self-funded public body and is a key pillar in contributing to reform of the insurance sector and the personal injuries environment. PIAB generates millions of euro in savings which would otherwise be spent on processing claims, leading to higher costs for policy-holders.

What We Do

The Personal Injuries Assessment Board independently assesses personal injury claims for compensation in the following categories:

- **Motor liability**
- **Employer liability (workplace accidents)**
- **Public liability**
- **Garda Compensation**

Our process leads to quicker, consistent and cheaper resolution of claims benefiting all parties and society. Our assessments of compensation are fair, independent and non-adversarial. We use the exact same Guidelines as the Courts to calculate levels of compensation. It is cheaper and faster to resolve a claim through PIAB vs litigation according to research by the Central Bank of Ireland.

PIAB also collects and analyses data on personal injury claims and awards to help contribute to greater transparency in the sector.

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Chairperson's Statement

It is my pleasure to present the Annual Report of the Personal Injuries Assessment Board (PIAB). The report illustrates the significant progress and changes that have been delivered and built on in the last year. PIAB's work this year has directly generated €40 million in savings that would otherwise have been spent on progressing claims through the litigation system. This demonstrates the importance of the work we do, but also the huge potential for PIAB to contribute more, and this is something we have been working hard with the Minister and the Department of Enterprise, Trade and Employment to achieve.

2022 was PIAB's first full year of operating the Personal Injuries Guidelines, and their impact on award levels is evident in the fact that our average award is now €15,857 down 34% compared to 2020 pre-guidelines. The introduction of the Guidelines is a pivotal moment in the reform of how we deal with personal injuries claims in Ireland. The Guidelines' objective is to bring more consistency and certainty to award levels, as the Guidelines are to be used by both the Courts and PIAB. They also recalibrated award levels for more minor injuries to bring Ireland's awards more in line with other jurisdictions.

There has been great progress in the reform of the personal injuries area. However, the reforms in this area are contingent on support and implementation by all stakeholders. All of those involved in personal injuries must support the implementation of the Guidelines.

The changes brought about by the Guidelines will bring order to a dysfunctional claims system, a personal injuries claims system that everyone agrees is in need of reform. They are a once-in-a-generation opportunity which will result in fair outcomes for claimants and in cheaper insurance premiums. It is vital that we, as a society, grasp this opportunity.

PIAB are determined to play our part in the implementation of the reforms which have significant societal benefits. It is vital that everyone else also plays their part.

The value of the Guidelines is not just about the value of awards but is about injured parties and respondents being able to trust the system, so that less cases go into costly and lengthy litigation. This has the potential to have a huge systemic savings, as for every case not litigated there is a potential saving of €16,000.

Building on the reform measures already in place, another major development for PIAB was the passing of the Personal Injuries Resolution Board Act. This new legislation is the most significant change to PIAB's services since we were first established. It enables us to enhance and expand our services so that we can do more to support the resolution of claims. The changes mean PIAB will have a mediation service later this year, to complement our existing assessment service. We will also have a greater role in research and promotion, and in further assisting An Garda Síochána in its work of investigating insurance fraud.

“ PIAB's work in 2022 has directly generated savings of €40 million in avoided litigation costs

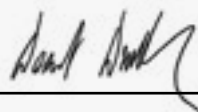


All of this means that the work of insurance reform has moved a long way in the past three years. We are beginning to see the impact of these reforms on motor insurance prices. However, there are still issues with both price and availability of cover in the employer and public liability areas, particularly for certain sectors. The full effects of the Guidelines should contribute here in time, if they are fully supported. In addition, PIAB's new mediation service will be an important new option for dispute resolution where there may be issues of liability to consider in terms public and employer liability.

PIAB plays a major role in reducing the costs of resolving claims because legal costs through PIAB are so much lower than litigation, as continued to be demonstrated during the year by the work of the Central Bank of Ireland. PIAB will continue to work on this and continue to act in partnership with all our Stakeholders and Government on the delivery and development of reform. Progress on this issue will enable businesses, consumers, sports organisations and community organisations to thrive and for us to function as a society in a better way. On my behalf, and on behalf of the Board, I want to pay tribute to Minister of State Dara Calleary, T.D. for his work on the Personal Injuries Resolution Board legislation and for the high level of support and co-operation by the officials in his Department during 2022.

I also wish to express the thanks of the Board for the work of the Chief Executive, Rosalind Carroll and her leadership team and all of the staff of PIAB who continued to work to make the organisation as effective as possible.

I wish to express my gratitude to all of the members of the PIAB Board during the year, for their continued work and commitment.



Dermot Divilly

Chairperson

May 2023

“ The Guidelines are a once-in-a-generation opportunity which will result in fair outcomes for claimants and in cheaper insurance premiums. It is vital that we, as a society, grasp this opportunity

Chief Executive's Review

€141 million is the total value of claims that were awarded by PIAB in 2022. This is a substantial amount and reflects the volumes of claims that PIAB manage. However, the €141 million is the lowest total value of claims that PIAB has awarded in the last 16 years. 2022 saw continued reductions in the volume of personal injuries claims being made to PIAB. While at the same time we saw the continued impact of the Personal Injuries Guidelines with a reduction in average award levels. The combined impact is that the overall value of claims has dropped significantly which should have a very positive impact on insurance costs.

18,453 claim applications were made in 2022, a 14% decrease on the previous year and a 41% decrease on claim volumes compared to pre-pandemic 2019 levels. Much of this volume decrease is still as a result of the impacts of the pandemic, when there were less accidents due to less activity on our roads, and in public and workplaces. However, we do expect some of the changes may be reflective of broader societal and workplace changes and that an impact of the Guidelines has been fewer claims being made for very minor injuries. The changes in volume over the last number of years are significant, and much of the change in value of awards can be attributed to the decreases in volume rather than just the Guidelines.

2022 was the first full year of PIAB using the Personal Injuries Guidelines to assess claims. PIAB published its third report on average award levels during the year, and this Annual Report gives a summary of the full year view of the Guidelines. Average awards in 2022 were down in average value by 34% when compared to awards made under the previous Book of Quantum, a significant reduction. The average award in 2022 was €15,857 compared to €24,026 in 2020. The level of awards depends on the mix of serious and minor

claims in any period, and also on the level of special damages, the damages for out-of-pocket expenses. During 2022, the average award has increased slightly when those other expenses are included. This is reflective of special damages increasing, reflecting broader cost of living increases in costs, and we are also seeing less very minor injuries meaning we are assessing more serious injuries which would be assessed at a higher level.

However, in overall terms, the changes PIAB are seeing are still very significant and are across all categories of claims, motor, employer and public liability. In 2022 we also saw our acceptance rate level rise to pre-Guidelines rates, ending the year at 48%.

The true value of the Guidelines is to get consistency and certainty on awards across all the settlement channels, and thereby reduce the need for unnecessary lengthy and costly litigation. This has the potential to reduce the costs associated with claims dramatically. However, it is important to be aware that it will take some time to see the full value of the guidelines and data and transparency across all channels is vital if they are to work.

“ €141 million is the lowest total value of claims that PIAB has awarded in the last 16 years



“ PIAB has assessed over €1.5 billion in personal injury awards accepted by both parties, resulting in considerable savings in the legal costs associated with litigation

Since its establishment, PIAB has assessed over €1.5 billion in personal injury awards accepted by both parties, resulting in considerable savings in the legal costs associated with litigation, but also allowing parties to settle claims and all of the stresses that there can be with this, years earlier. As the legal costs involved in resolving a case through PIAB are only a small fraction of those in litigation the savings to date through the fair and impartial PIAB service amounts to several hundred million euro. In 2022 alone, the savings that are attributed to the acceptance of awards in PIAB cases is €40 million. Therefore, if we can get to a point where the Guidelines lead to consistency and certainty in awards in Ireland, and more cases are accepted at the PIAB stage, there is huge potential for more savings.

Progress and reform cannot be about one measure and the introduction of the Personal Injuries Resolution Board Act, which was signed into law at the end of 2022, as our Chair has said, is a hugely significant piece of legislation for PIAB and the personal injuries area. The legislation will enable PIAB to offer a broader range of services, including mediation, and parties to claims will have more options to resolve their claims in PIAB, rather than enter into litigation, resulting in better outcomes for claimants and respondents while also leading to further savings in personal injuries claim costs. Mediation is a quick, flexible and creative way to resolve even complex and sensitive issues.

In addition, 2022 also saw the passing of the Garda Compensation Act which gives PIAB responsibility for assessing claims where Garda members have been injured from a malicious accident. The new scheme will reduce the waiting times to Gardaí or their family members and costs associated with claims for injuries arising from a malicious incident. This initiative is important in demonstrating how PIAB, through its independence, impartiality and expertise, can help to solve and contribute to issues where there has been loss or suffering.

PIAB are also taking a greater role in using our data and commissioning research. PIAB has huge expertise in the personal injuries area and also has more data than any other body on claims, and we are committed to using our data with the aim of benefitting our stakeholders and all of society. Openness and transparency of personal injury claims data is crucial to achieving the reforms and encouraging competition in this sector. It is also of huge value from an accident prevention perspective.

In 2022, sadly, the number of fatal claims increased to 96 from 84 the previous year, and over half of the fatalities in the motor area were vulnerable road users, including pedestrians, cyclists and motorcyclists.

PIAB is committed to utilising our data and working with others such as the Road Safety Authority, and the Health and Safety Authority to help prevent more of these tragic accidents from occurring.

“ Sadly, the number of fatal claims increased to 96 from 84 and over half in the motor area were vulnerable road users

This year we also initiated a Digital Transformation Project. This project will see an investment of €3 million in our digital platforms and systems, offering a new and improved claim management experience for all our stakeholders. This project which will be delivered in 2024 will transform our customer service and engagement and will improve the speed and ease of access to our services.

The service PIAB provides is crucial for the economic progress of Ireland and for society, as well as being so important to the lives of injured parties in their recovery. PIAB deals with a diverse range of injuries, ranging from more minor injuries to life changing injuries and fatalities. Behind every claim, is a person, and PIAB's job is to offer both them and the respondent party to a claim, a fair and impartial service that both parties can trust and that allows everybody to move on. In doing so we also remove a lot of costs and the significant time and stress of litigation. We have seen considerable progress in the last couple of years to making the system work better for everyone. It is vital that the reforms brought in are supported and the benefits of the reform process are delivered to people who pay for the cost of insurance, to injured parties, and to those operating businesses, or delivering for their communities. The strong results PIAB have shown in 2022 in terms of average awards and volumes values of claims give a very strong basis for confidence in the reforms delivered so far.

2022 has proven to be another successful year for PIAB, with a lot delivered, and it is for these successes that I wish to express my sincere thanks to all of the stakeholders who have contributed. I wish to thank Minister of State Dara Calleary T.D. and his officials in the Department of Enterprise, Trade and Employment for their delivery of the Personal Injuries Resolution Board legislation and for their policy and operational support, I also wish to thank the Chairperson Dermot Divilly and the PIAB Board members for their support and oversight in this evolving landscape.

Finally, the achievements outlined within this report, could not have been accomplished without the hard work and dedication of all our team at PIAB. I thank them most sincerely for their ongoing commitment.



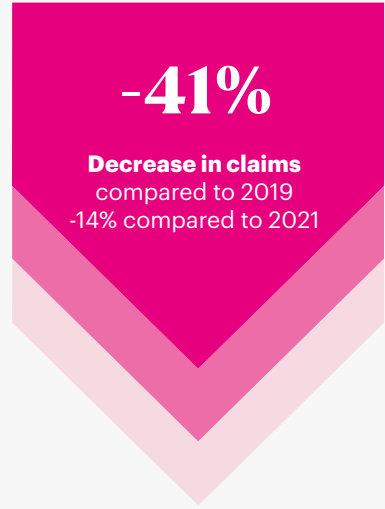
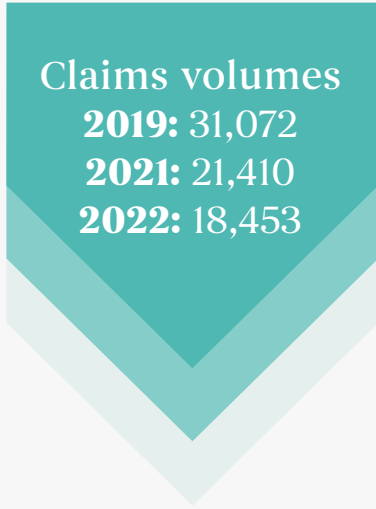
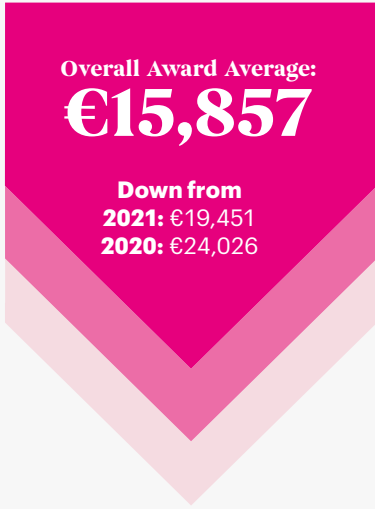
Rosalind Carroll

Chief Executive

May 2023

“ Behind every claim, is a person, and PIAB's job is to offer them and the respondent party to a claim, a fair and impartial service that both can trust and that allows everybody to move on. In doing so we also remove a lot of costs, significant time and stress

PIAB At A Glance



Total Value of Awards



Amount saved in 2022 in avoided costs due to claims not going through litigation

€40_m

Reduction in average value of General Damages (Damages for Pain and Suffering)

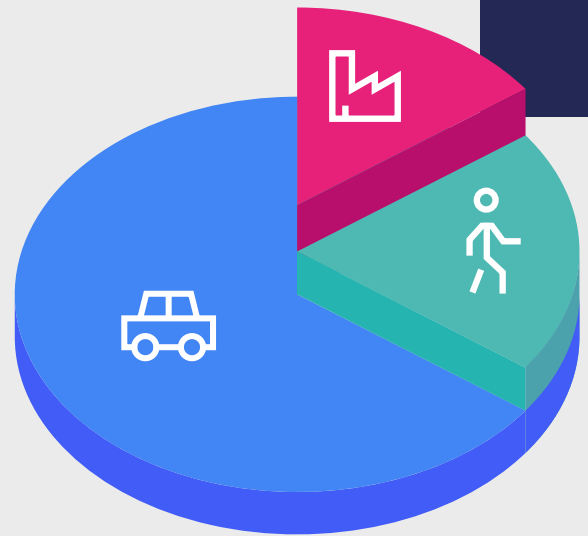
41%

Reduction in average value of awards for 2022 vs 2020

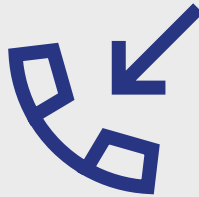
34%

Category of Awards

	2022	2021	% Change
● Motor Liability	65%	69%	↓ -4%
● Public Liability	20%	18%	↑ +2%
● Employers Liability	15%	13%	↑ +2%



261,338
emails compared to
197,132 in 2021

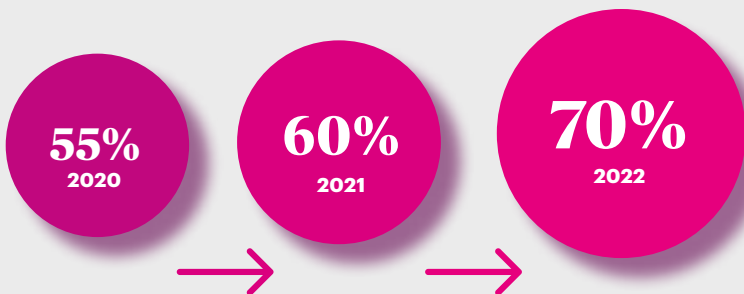


22,053
compared to
25,506 in 2021

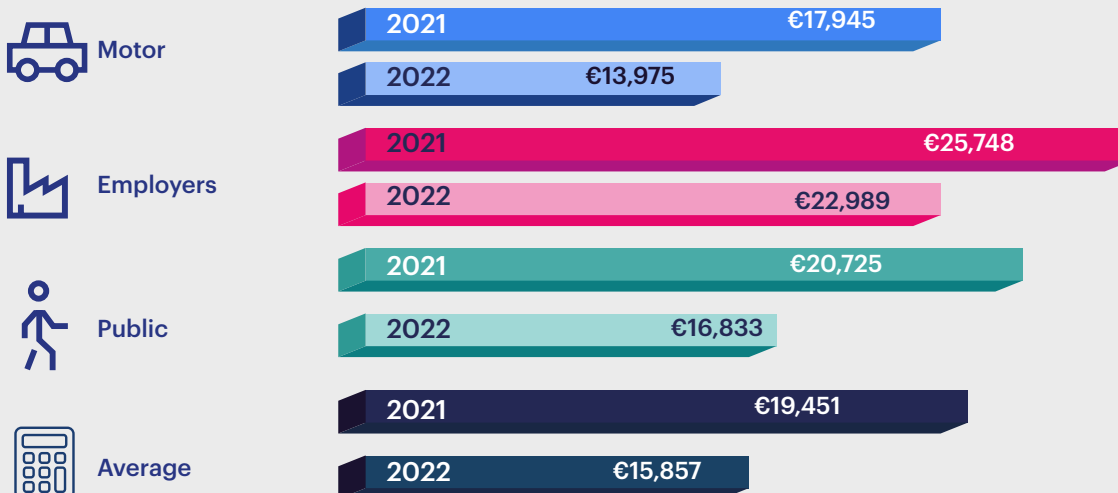


229,397
Items of correspondence
dealt with

Consent Rate Increasing



Value of average awards by category

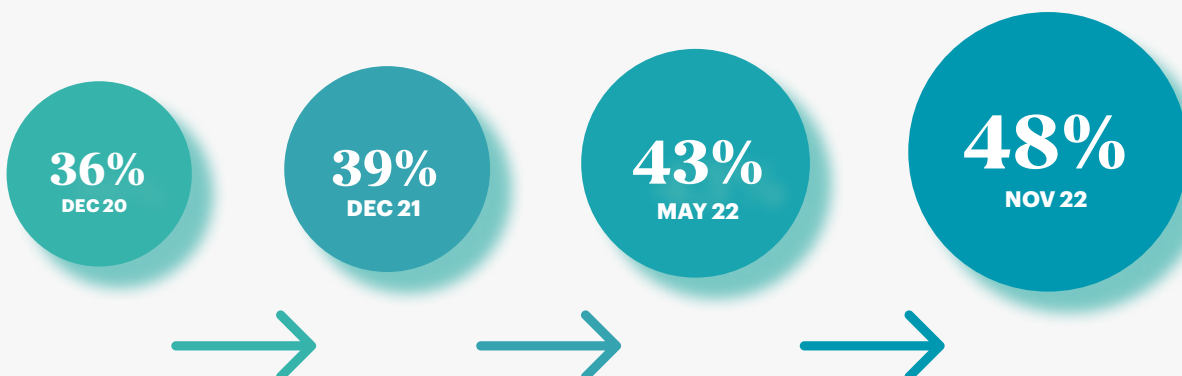


2022 Average Award vs 2021 and 2020	Average Award 2022	Reduction from 2021	Average Award 2020	Reduction from 2020
Motor Liability	€13,975	-22%	€22,357	-37%
Employers Liability	€22,989	-11%	€30,558	-25%
Public Liability	€16,833	-19%	€26,065	-35%
Overall Average	€15,857	-18%	€24,026	-34%

Average Processing Time



Acceptance Rates Post Guidelines



By year end, award acceptance rate was approaching pre-Guidelines level

1. Claims & Awards

Highlights

- Claim volumes down 14% on 2021 and 41% on 2019 levels
- Motor claim applications down 11%, Public liability claims down 20% and Employers liability claims down 13%
- Average award for 2022 was €15,857 compared to €19,451 in 2021
- Value of out-of-pocket expenses up 14% compared to 2021
- The Highest value award made in 2022 was €655,678 compared to €360,522 in 2021

2022 was the first full year where PIAB awards were made under the Guidelines. The Guidelines have had a significant impact on awards but are also leading to changes in claims applications. PIAB is starting to see less claims for what would be considered very minor injuries. PIAB is also assessing wholly psychological injuries for the first time.

Given the significance of the Guidelines, there was always going to be some uncertainty and a period of bedding in before the Guidelines brought the certainty and consistency they sought to achieve. Since the Guidelines came in there has been a number of legal challenges with regard to their application. In 2022 two test cases were heard in the High Court which were successfully defended by PIAB and the State, and this has gone some way to bringing more certainty to the overall claims' environment, evident in the fact that PIAB's acceptance levels have increased from this time. While these cases have been appealed, and it will still take time to see claim cases go through the courts systems, the Guidelines have had a very significant impact on claims in Ireland. The following section of our annual report will give a summary of the trends in claims and awards over the last year.

“ Claim applications were down 14% on 2021 volumes and down over 40% compared to 2019

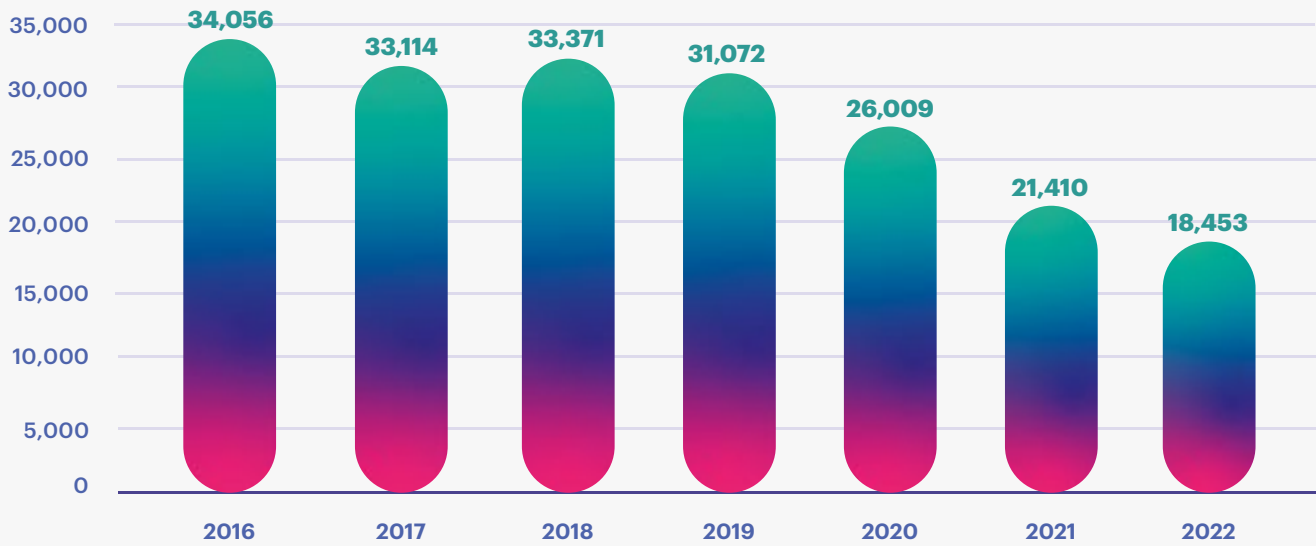
Claim Application Volumes

PIAB received 18,453 claim applications in 2022 down from 21,410 in 2021. We saw a continuation in the reduction of applications received by PIAB in 2022. Table 1.1 charts the total claim applications since 2016. Claim applications were down 14% on 2021 volumes and down over 40% compared to 2019. While claim volumes in 2020 and 2021 were severely impacted by Covid, the continuing decrease in claim numbers is being impacted by a number of influencing factors.

On average claims to PIAB are made one to two years after an accident occurs, and therefore the impacts of Covid on traffic volumes, office attendance and other areas will still have had some impact on the volume of claim applications. There will also be some longer lasting impacts on volumes as some people continue to work remotely rather than in the office and there may be other behavioural changes since Covid which changed how people use cars. Another significant factor has been the introduction of the Personal Injuries Guidelines. Since then, claim volumes have remained relatively low when compared to 2019. The significance of the changes along with some uncertainty created by legal challenges to the guidelines is likely to have impacted claim applications to PIAB.

While a reduction in claim volumes is welcome, given that there have been such levels of change, we will need to monitor where the long-term impact will be on claim numbers.

Table 1.1 Claim Applications



Categories of Claims

As shown below in Table 1.2, when we compare claim volumes for 2022, 2021 and 2020 across the three liability categories, we can see Motor claims have fallen in volume. Motor claims are down 11% from 11,409 in 2021 to 10,154 in 2022 and down 28% from 14,137 in 2020. Public liability claims are down 20% from 5,774 in 2021 to 4,641 in 2022 and down 32% from 6,823 in 2020. While Employers liability claims are down 13% from 4,227 in 2021 to 3,658 in 2022 and down 28% from 5,049 in 2020.

In respect of the total number of applications received by PIAB in 2022, overall, there was a 14% decrease in 2022 compared to 2021 and a 29% decrease in overall applications when compared to 2020. This reduction in claim volumes was across all claim types and has had a positive impact on the overall cost of claims, with the overall value of claims decreasing significantly over the last 3 years.

Table 1.2 Breakdown of Claims Applications by Category 2022 vs 2021 and 2020

Applications Received	2022	2021	2022 v 2021%	2020	2022 v 2020%
Motor Liability	10,154	11,409	-11%	14,137	-28%
Public Liability	4,641	5,774	-20%	6,823	-32%
Employers Liability	3,658	4,227	-13%	5,049	-28%
Total	18,453	21,410	-14%	26,009	-29%

Breakdown of Claims and Awards

In Figure 1.1 and 1.2 we look at the breakdown of claim applications in the three liability categories in 2022 compared with 2021 and we also look at the breakdown of awards made across the three liability categories for the same period in Figure 1.3 and 1.4.

While Motor liability claims made up a greater proportion of the total applications received by PIAB in 2022, this accounted for a lower proportion of awards in 2022 (65%) when compared to 2021 (69%). This is significant as motor claims for many years were stable at 70% of all awards as seen in Table 1.3. This change reflects the fact that since the Guidelines were introduced, fewer of the most minor claims have been made to PIAB, most of which typically arise in motor claims.

The proportion of Public liability claim applications decreased from 27% in 2021 to 25% in 2022 as seen in Figure 1.1 and 1.2, while Public liability awards increased from 18% of all awards in 2021 to 20% in 2022.

Employers liability claim applications made up a fifth (20%) of all claim applications in 2021 and 2022. The proportion of Employers liability awards increased by 2% in 2022, accounting for 15% of all awards made by PIAB.

Table 1.3 Types of Awards

Category	% of 2019 Awards	% of 2020 Awards	% of 2021 Awards	% of 2022 Awards	No of Awards 2019	No of Awards 2020	No of Awards 2021	No of Awards 2022
Motor Liability	70%	70%	69%	65%	8,050	6,058	5,606	5,802
Public Liability	17%	17%	18%	20%	2,009	1,426	1,436	1,774
Employers Liability	13%	13%	13%	15%	1,468	1,103	1,051	1,289
Total					11,527	8,587	8,093	8,865

Figure 1.1 Applications Received 2022

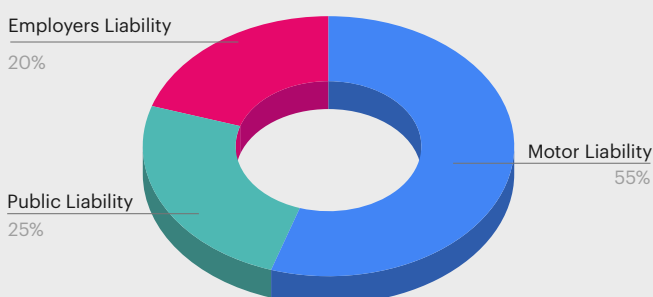


Figure 1.2 Applications Received 2021

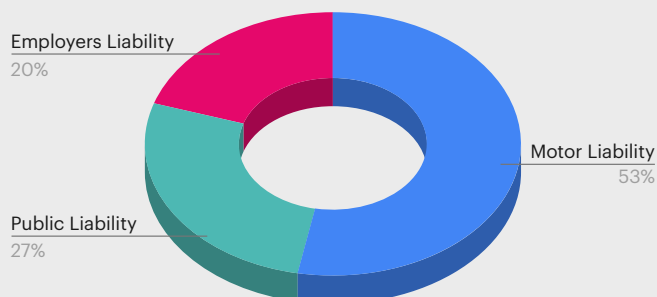


Figure 1.3 Awards Breakdown 2022

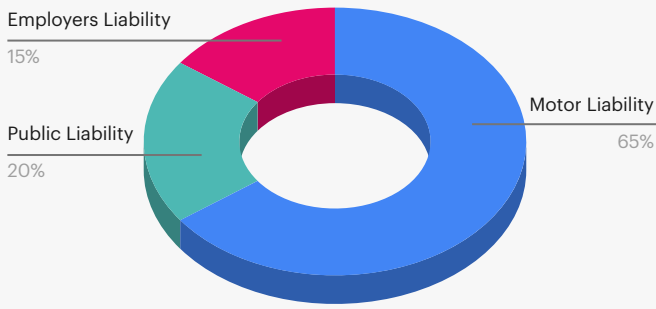
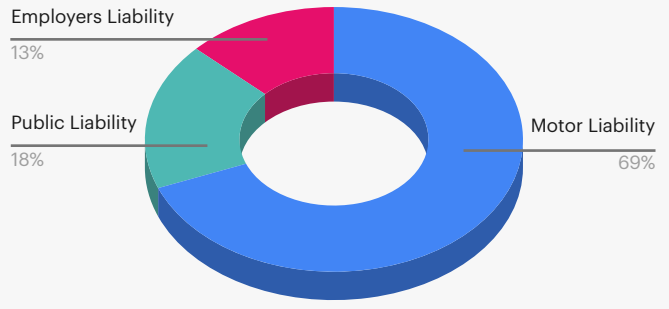


Figure 1.4 Awards Breakdown 2021



Consent to Assessment

As part of PIAB’s claims process, we issue the Respondent with notice of the claim being made against them. The Respondent, who can be a person or organisation a claim is made against, will have 90 days within which to agree to PIAB assessing the claim. If the Respondent consents to PIAB’s involvement, PIAB proceeds with the assessment process. If a Respondent does not consent, PIAB issues a legal document called an ‘authorisation’ to the Claimant enabling them to proceed with the matter through Court if they wish to do so.

Consent rates are important as they show how many Respondents are consenting to using the PIAB process and impact on how many cases are entering the litigation system. The costs of progressing a claim through the PIAB system are far less when compared with litigation. The PIAB service is quicker and non-adversarial and better not only for the parties to a claim but for society as a whole.

2022 saw a considerable and welcome increase in consent rates when compared with 2021 and was reflected across the three liability categories. As we can see in Table 1.4, consent rates for Motor liability claims were at 78%, up 11% on 2021 levels and 16% on 2020 levels. The consent rate for Employers liability is at 65%, an increase of 9% on 2021 and 16% on 2020 levels, while consent rates for Public liability claims were at 54%, compared to 49% in 2021 and 43% in 2020. The overall consent rate increased to 70% in 2022, from 60% in 2021. PIAB offers a non-adversarial way of resolving claims. Therefore, where there are no issues in dispute, such as liability, PIAB are best placed to resolve cases where there is not a need for unnecessary litigation.

“ The overall consent rate increased to 70% in 2022, from 60% in 2021 ”

Table 1.4 Overall Consent Rates

	Motor Liability	Employers Liability	Public Liability	Combined Rate
2016	66%	49%	45%	58%
2017	65%	49%	43%	57%
2018	65%	50%	44%	57%
2019	64%	48%	42%	55%
2020	62%	49%	43%	55%
2021	67%	56%	49%	60%
2022	78%	65%	54%	70%

Award Volumes and Values

Table 1.5 Award Volumes and Values by Year

Year	Volume	Values
2016	12,966	€315 million
2017	12,663	€315 million
2018	12,112	€299 million
2019	11,527	€275 million
2020	8,587	€206 million
2021	8,093	€157 million
2022	8,865	€141 million

In 2022, PIAB made awards in 8,865 claims compared to 8,093 in 2021 and 8,587 in 2020. The 2022 figure compared with 2021 shows an increase of almost 10%. This is despite a reduction in the number of applications received by PIAB in 2022. The total volume of awards made by PIAB has increased when compared to 2021 (+10%) and 2020 (+3%). This was driven by an increase in the existing claims on hand from the effects of Covid and delays resulting from the introduction of the Guidelines.

Although the volume of awards made has increased, the total value of PIAB awards in 2022 was €141 million and this is the lowest value of awards in 16 years. The total value of claims in 2022 is €134 million less than in 2019, which is a direct saving on the cost of claims in Ireland and should have a positive impact on the pricing of insurance. This marked reduction in the value of awards can be attributed both to continued decreases in the volume of claims and the impact of the Guidelines on individual claims.

“ The total value of PIAB awards in 2022 was €141 million and this is the lowest value of awards in 16 years

Table 1.6 Total Full Year Value of Average Awards by Category 2022 vs 2021 and 2020

	2022	2021	2022 vs 2021%	2020	2022 vs 2020%
Motor Liability	€13,975	€17,945	-22%	€22,357	-37%
Employers Liability	€22,989	€25,748	-11%	€30,558	-25%
Public Liability	€16,833	€20,725	-19%	€26,065	-35%
Overall Average	€15,857	€19,451	-18%	€24,026	-34%

The average award in 2022 was € 15,857. Table 1.6 provides an overview of the breakdown of average awards both overall, and across the three liability categories. When compared to average awards in 2021, awards made in 2022 were on average, 18% lower than in 2021. It is important to note however, that the Guidelines were introduced in April 2021 and overall awards significantly decreased in the latter half of 2021. Therefore, the average for 2021 was not reflective of a full year Guidelines figure. A comparison to 2020, the last full year of assessments pre-guidelines, gives a more accurate comparison of pre and post-guidelines award values. As can be seen from Table 1.6, the Guidelines have had a considerable impact to date, with a 34% reduction in the average award since 2020. These figures do include awards for fatalities which are not affected by the Guidelines but are a good indicator of the impacts thus far. As can be seen, Motor liability claims and Public liability claims have seen the biggest impacts with a 37% and 35% reduction in average awards. Employer liability has seen a lesser reduction at 25%, however this is driven by the fact that there was an increase in the level and number of claims with serious injuries presented during the 2022 year, and serious injuries are less impacted by the Guidelines.

It is important to note that the levels of average awards can fluctuate due to the mix of serious injuries and minor injuries and also due to the number of Motor liability, Public liability and Employers liability, each of which tend to have differing average award levels. Each individual claim is assessed on its own merits.

The level of decrease between pre and post Guidelines has varied a little over the two years since they have been in effect, and this is due to the nature of the claims being made, but overall, there has been a relatively consistent decline in awards levels. PIAB has published 3 reports on average awards and injury trends since the

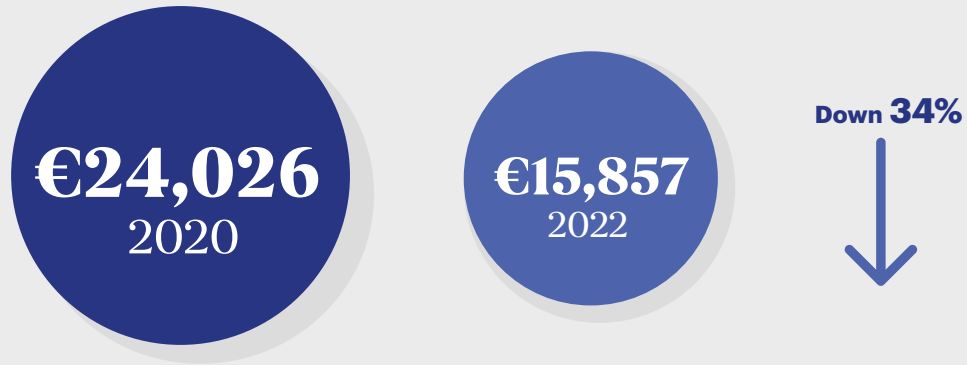
Guidelines have come into effect. These reports have shown decreases in average award values as compared to 2020 levels of between 42% to 38%. It should be noted however these figures exclude claims involving fatalities. Average awards fluctuate depending on the severity of the cases assessed in a particular time period. The decrease of 34% we are reporting for the full year of 2022, shows a slightly higher average award figure of €15,857, than our reported figure for the first 6 months of the year which was €14,786. While these figures are based on slightly different cases, as one includes fatal claims and the other doesn't, there are two main drivers for the slightly elevated figure. Special damages as reported later (out-of-pocket expenses such as loss of earnings, medical expenses etc) have been increasing. These damages which are included in the overall averages, are increasing as a result of general cost of living expenses and inflation. PIAB are also seeing less claims for minor injuries being made, which means we are no longer comparing the same types of cases.

General Damages Awards

It is important when looking at the overall average award to also consider General Damages (damages for pain and suffering). It is only General Damages that are affected by the Guidelines and not Special Damages which are damages for things like loss of earnings or other out-of-pocket expenses. The average award for general damages has decreased by 41% from 2020 to 2021.

PIAB are conscious that behind every claim for personal injuries, are people who have suffered pain and suffering and financial loss. This analysis therefore is not intended in any way to undermine the injuries that people have suffered. PIAB's role is to ensure that Claimant's receive fair compensation for injuries received through accidents that they are not responsible for, and we take this role and the value it can bring to helping peoples recovery very seriously.

Average award pre and post guidelines (2020 vs 2022)



Average award for General Damages (2020 v 2022)



Range of Awards

The range in award values has also shifted since the introduction of the Personal Injuries Guidelines. Table 1.7, shows the distribution of award amounts by value band in respect of awards made in 2022, as compared to the post-guideline implementation period April – December 2021, with further comparisons drawn with pre-Guideline figures in 2020. In 2022, almost half of all awards made by PIAB were valued at €10,000 or less compared to just 12% of awards in 2020. The evident shift in the proportion of awards made within the lower value award bands in 2022 and 2021, highlight the significant impact of the Guidelines in personal injuries claims.

Table 1.7 Breakdown of Total Number of Awards in 2022

Range of Awards							
Average value category (€'s)	< €5k	€5k – < €10k	€10k – < €15k	€15k – < €20k	€20k – < €25k	€25 – < €50k	Over €50k
% Of awards 2022	23%	24%	20%	12%	6%	10%	5%
% Of awards 24th April to 31st December 2021	20%	29%	23%	11%	5%	8%	4%

Average value category (€'s)	< €10k	€10k – €15K	€15k – €20K	€20k+
% Of awards 2020	12%	18%	26%	44%

Increase In Special Damages Claims

When a personal injury claim is assessed by PIAB, the assessment usually comprises of two distinct elements, General Damages and Special Damages. General Damages cover compensation for pain and suffering from injuries sustained in an accident. Special Damages are expenses incurred as a result of an accident, including loss of earnings, treatment costs, vehicle repairs and other out-of-pocket expenses. In more serious cases there may also be future loss of earnings, future expenses, etc.

As shown below in Table 1.8, when compared to 2021, average Special Damages awards increased by 14% in 2022. This increase was most pronounced for Employers liability awards, increasing from an average of €4,699 in 2021 to €6,144 in 2022, representing an increase of 31%. While it is unclear what is directly causing this increase, it is likely that high inflation rates impacting treatment costs and wage growth, which influences the value of loss of earning claims, are contributory factors.

Highest and Lowest Awards

The highest award made in 2022 was €655,678 and this concerned very serious injuries suffered by a Claimant in a head on road traffic collision. The lowest award made was €0. PIAB makes awards of zero where the injury did not have a level of pain and suffering that is recognised from a medical perspective or is set out in the Guidelines or out of pocket expenses when assessed.

Award Acceptance Rates

When PIAB makes an assessment of damages (award) we issue details of the award to both the Claimant and the Respondent. The Claimant has 28 days to either accept or reject the award and the Respondent has 21 days. If the award is accepted by both parties, an 'Order to Pay' issues to the Respondent or their insurers instructing them to pay the sum PIAB awarded to the Claimant. An 'Order to Pay' has similar status to a court order. If an award is rejected by one or both parties, PIAB issues an authorisation which enables the Claimant to take the matter to Court if they so wish.

Table 1.8 Average Special Damages Awards in 2022 v 2021

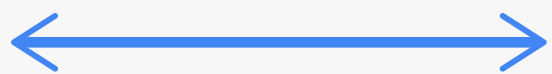
Award category	ML	PL	EL	Overall
2022	€2,614	€1,984	€6,144	€3,001
2021	€2,525	€1,571	€4,699	€2,639
%Change	+4%	+26%	+31%	+14%



When compared to 2021, average Special Damages awards increased by 14% in 2022

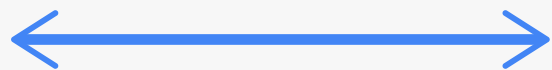
Range of Awards 2022

€0 – €655,678



Range of Awards 2021

€500 – €360,522



The introduction of the Personal Injuries Guidelines had significant impact on the acceptance rate for awards issued by PIAB. Following the implementation of the guidelines, the overall acceptance rate decreased from 60% in April 2021 to 36% in May 2021. Acceptance rates for 2022, indicate that rates are recovering with the overall acceptance rate at 48% by the end of the year compared to pre-guidelines rate of 51%. The positive trend has undoubtedly been influenced by the successful outcome in High Court challenge on the constitutionality of the Guidelines. The outcome in this case brought more certainty to the overall claims' environment.

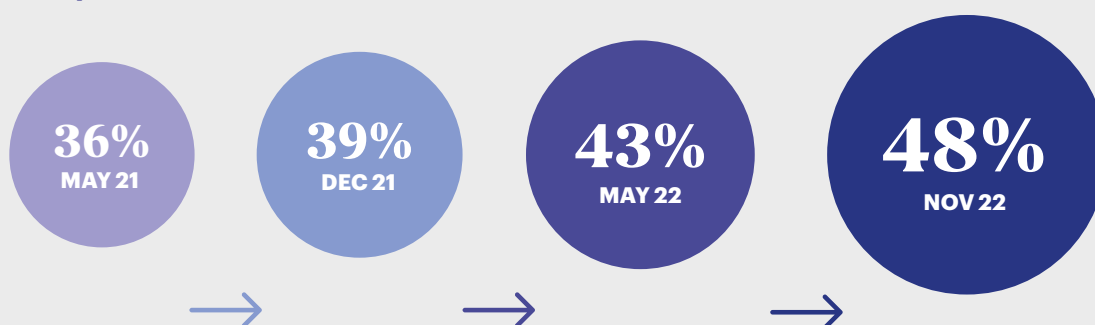
As shown in Table 1.9, in 2022, the overall acceptance rate was 44%, with a 48% acceptance rate at the end of 2022. This positive trend in acceptance rates suggests a significant proportion of personal injuries claims were prevented from entering costly litigation. The value of consenting to the PIAB process and accepting the PIAB award cannot be overstated. When compared with litigation, PIAB's process is faster and cheaper for all parties and results in millions of euro worth of savings for broader society. In 2022 alone, PIAB saved €40 million directly in avoided costs compared to litigation.

“ Acceptance rates for 2022, indicate that rates are recovering with the overall acceptance rate at 48% by the end of the year compared to pre-guidelines rate of 51%

Table 1.9 Overall Acceptance Rates

Award category	Motor	Employers	Public	Combined
2016	54%	56%	59%	55%
2017	52%	56%	56%	53%
2018	51%	54%	54%	52%
2019	51%	58%	56%	52%
2020	49%	57%	53%	51%
2021	43%	46%	49%	44%
2022	40%	46%	49%	44%

Acceptance Rates Post Guidelines



Timeline to Assess

The time to assess a claim from the date of consent to date of award increased from 10.5 months in 2021 to 10.9 months in 2022. However, 55% of cases were assessed within 9 months.

The increase in assessment timelines was driven by existing claims in the system and delays still impacting due to the effect of Covid and the introduction of the Guidelines.

Prior to Covid, typically PIAB's average assessment time was 9 months and under. The timeline increase experienced over the last 2 years was initially driven by Covid related factors where thousands of medical appointments had to be cancelled and then was compounded by the introduction of the Personal Injuries Guidelines and legal challenges which followed, where cases within the system slowed significantly as people were apprehensive about progressing their claims in an uncertain environment. In addition, in the last two years PIAB have started to retain more claims and these claims comprise of cases that are more complex in nature, and which take longer to assess.

Progress is being made on existing claims and the average timelines for assessment will improve, however for some cases of a more complex nature, these will continue to take longer to assess to ensure we allow adequate time for prognosis.

“ 55% of cases were assessed within 9 months

Fatal Claims

PIAB would like to extend our deep sympathy to all those who have lost loved ones in an accident. During the period January 1st, 2022, to December 31st, 2022, PIAB received 96 cases involving a fatality, an increase of 12 on the previous year. 46 cases related to motor accidents, and increase of 5 on 2021, 15 related to workplace accidents (Employers liability) an increase of 1 on 2021, and 35 relating to public liability accidents an increase of 6 on 2021.

“ During the period January 1st 2022, to December 31st, 2022, PIAB received 96 cases involving a fatality, an increase of 12 on the previous year

Fatal applications are not assessed in the same way as other applications for personal injury compensation. These cases are omitted from the wider analysis as the assessment of damages where there was a fatality involved has not been impacted by the introduction of the Personal Injuries Guidelines.

Table 1.10

Fatal Applications	2022	2021
Motor Liability	46	41
Employers Liability	15	14
Public Liability	35	29
Total	96	84

Fatalities – Motor Liability

Of the 46 motor cases involving fatality, 14 of the motor cases involved passengers, 12 involved pedestrians, 11 involved drivers, 8 involved motorcyclists, 1 involved a cyclist.

30 of those fatally injured were males and 16 were females. Below we look closer at the cause, activity and occurrence of these fatalities.

Table 1.11

Motor Liability – Types of Road Users	Fatal injuries
Passengers	14
Pedestrians	12
Drivers	11
Motorcyclists	8
Cyclists	1
Total	46

Fatalities – Workplace

There were 15 Employer Liability fatal applications received by PIAB in 2022, an increase of 1 on 2021 on injuries arising in workplaces causing death.

14 of those fatally injured were males and 1 was female.

Table 1.12

Workplace external cause	Fatal injuries
Caught, crushed, jammed or pinched in or between objects	4
Struck by thrown, projected or falling object	4
Fall from one level to another	2
Other	2
Healthcare associated infection	1
Overexertion and strenuous and repetitive movements	1
Pedestrian injured in collision with Heavy transport vehicle or bus	1
Total	15

Table 1.13

Category of work	Fatal injuries
Construction	8
Other specified work for income – cafe/childcare/financial/education/utilities	2
Transport and storage	2
Agriculture/forestry/fishing	1
Government administration and defence	1
Health services	1
Total	15

Table 1.14

Place injury occurred	Fatal injuries
Industrial and construction area, factory and plant	7
Farm	2
Health service area	2
Street and highway, roadway	2
Industrial and construction area	1
Institution and public administrative area-church/hall/cinema/club/court/venue	1
Total	15

Fatalities – Public Places

There were 35 Public Liability fatal claims received by PIAB in 2022 an increase of 6 on the previous year. 20 were males and 15 were females. Below we look closer at the cause, activity and occurrence of these fatalities

Table 1.15

Public liability external cause	Fatal injuries
Passenger involved in a Fatal Airplane crash	9
Medical negligence	5
Assault by bodily force	4
Fall on same level from slipping, tripping and stumbling	4
Nosocomial condition	3
Other	3
Death in custody/refuge	3
Fall from one level to another	1
Struck by thrown, projected or falling object	1
Work related condition	1
Drowning	1
Total	35

Table 1.16

Places injury occurred	Fatal injuries
Residential institution	9
Trade and service area – airport/bus station/tv/radio	9
Unspecified place of occurrence	6
Health service area	5
Street and highway, roadway/footpath	2
Café, hotel and restaurant	1
Institution and public administrative area-church/hall/cinema/club/court/venue	1
Other specified place of occurrence, parking lot	1
Sport and athletics area	1
Total	35

Table 1.17

Circumstances	Fatal injuries
Recreation/hobby/leisure	12
Unspecified activity	10
While resting, sleeping, eating or engaging in other vital activities	6
Health services	4
Other specified activity	2
Sport/exercise	1
Total	35

2. A Closer Look

In order to get a greater understanding of the types of injuries occurring, a more in depth analysis across the 3 liability categories is presented in this section. The analysis is based on data from a large sample of claims. PIAB uses the ICD10 system for injury categorisation. The same system is endorsed by the World Health Organisation.

Motor Liability

PIAB received 10,154 claim applications in relation to motor accidents. Motor liability claims accounted for 55% of all claim applications received by PIAB in 2022 and 65% of all awards issued. The Average award in this category was €13,975 compared to €17,945 in 2021, representing a reduction of 22%.

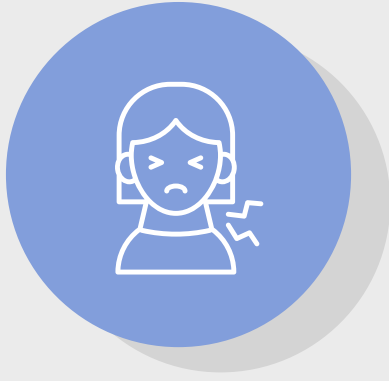
Most Common Injuries

We took a closer look at the most common injuries affecting people involved in motor accidents. Consistent with previous years, soft tissue injuries constitute over 80% of injuries sustained. 51% of soft tissue injuries involved sprain and strain of the cervical spine (neck region), 13% involved sprain and strain of lumbar spine (lower back region), and 7% involved sprain and strain of the shoulder joint. 3.5% of injuries sustained in motor accidents involved concussion.



Motor liability claims accounted for 55% of all claim applications received by PIAB in 2022 and 65% of all awards issued

4 Most Common Motor Liability Injuries 2022



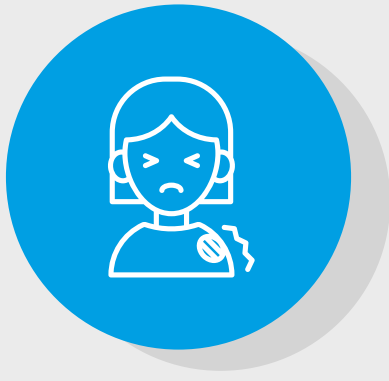
51% (+1% vs 2021)

of injuries sustained in motor liability accidents involved sprain and strain of the cervical spine



13% (-1% vs 2021)

of injuries sustained in motor liability accidents involved sprain and strain of the lumbar spine



7% (-0.5% vs 2021)

of injuries sustained in motor liability accidents involved sprain and strain of the shoulder joint



3.5%

of injuries sustained in motor liability accidents involved concussion

Motor Liability Accidents 2022



57% (+2.5% vs 2021)
of Claimants involved in motor liability accidents were drivers in a vehicle



29.5% (-3.5% vs 2021)
of Claimants involved in motor liability accidents were passengers in a vehicle



6% (+0.5% vs 2021)
of Claimants involved in motor liability accidents were passengers



5.5% (+0.5% vs 2021)
of Claimants involved in motor liability accidents were cyclists



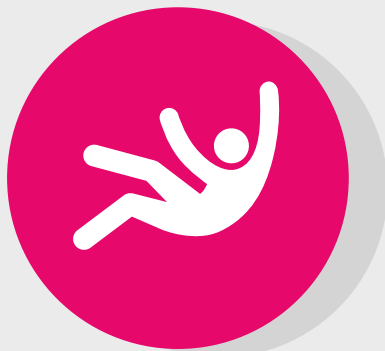
2% (N/C)
of Claimants involved in motor liability accidents were motorcyclists

Employers Liability

Employers liability cases make up 20% of all claims received and 15% of awards made and is the least frequent category of claims. PIAB received 3,658 Employers liability claims in 2022 and issued 1,289 awards in this category. While workplace claims and awards make up the lowest in terms of claim and award volumes, they are often associated with the highest average award values due to the nature of the injuries sustained. The average value of these awards in 2022 was €22,989 and this compares to €25,748 in 2021.

“ While workplace claims and awards make up the lowest in terms of claim and award volumes, they are often associated with the highest average award values due to the nature of the injuries sustained

External Cause of Workplace Accidents 2022



24% (N/C)

of employers liability accidents were caused by the fall on the same level from slipping, tripping etc



19% (-1.5% vs 2021)

of employers liability accidents were caused by an overexertion, strenuous or repetitive motions



14% (-2% vs 2021)

of employers liability accidents were caused by being struck by a thrown/projected or falling object



10% (+0.5% vs 2021)

of employers liability accidents were caused by falling from one level to another

Occurrence

Consistent with 2021, just under a third (32%) of all workplace claims occurred at a factory or plant. This is up 2% from last year and 6% from 2020. 12% of accidents occurred at a health service facility, up 1.5% from 2021. 11.5% of accidents occurred at a shop or store, down 1.5% from 2021 and 9.5% of accidents occurred at an industrial and/or construction area and this is down 2.5% on 2021 figures.

Occurrence of Workplace Accidents 2022



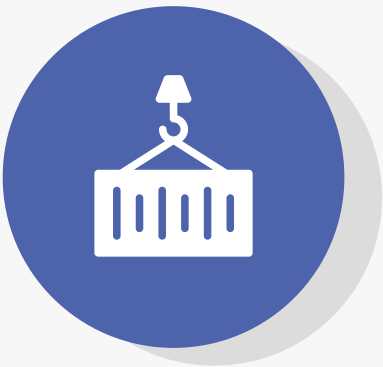
32% (+2% vs 2021)
of employers liability accidents
occurred at a factory or plant.



12% (+1.5% vs 2021)
of employers liability accidents
occurred at a health service area.



11.5% (-1.5% vs 2021)
of employers liability accidents
occurred at a shop or store.



9.5% (-2.5% vs 2021)
of employers liability accidents
occurred at an industrial and/or
construction area.

Figure 1.5 Most Common Workplace Injuries

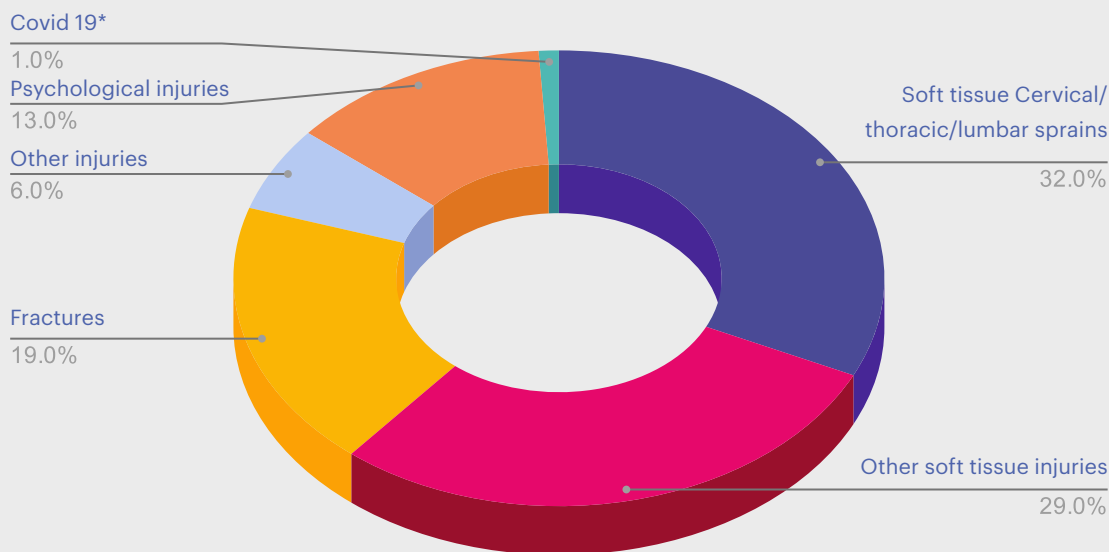


Table 1.18

Most common workplace injuries	%
Sprain and strain of lumbar spine	19.00%
Sprain and strain of cervical spine	11.00%
Anxiety disorder, unspecified	9.00%
Sprain and strain of shoulder joint	8.00%
Sprain and strain of other and unspecified parts of knee	6.00%
Concussion	5.00%
Sprain and strain of ankle	5.00%
Fracture of other metacarpal bone	4%
Sprain and strain of wrist	4%
Post traumatic stress disorder	4%
Sprain and strain of elbow	3%
Fracture of lower radius (wrist)	3%

Public Liability

Public liability claims arise from accidents that occur in public places. In 2022 PIAB received 4,641 Public liability claims down 20% on 2021 and made 1,774 Public liability awards. The average Public liability award for 2022 was €16,833 and this compares to €20,725 in 2021. Below we will look closer at the cause and occurrence of Public liability accidents.

Cause

Over 70% of public liability cases involved a slip, trip or fall. 62% were caused by a slip, trip and fall on the same level and 9% were caused by a slip trip and fall from one level to another. 8% of accidents involved being struck by thrown, projected or falling objects and 7% involved assault by bodily force.

External Cause of Public Liability Accidents 2022



62% (-3% vs 2021)

of public liability accidents caused by a slip or trip at the same level



9% (+1.5% vs 2021)

of public liability accidents caused by falling from one level to another



8% (+0.5% vs 2021)

of public liability accidents caused by being struck by a thrown/projected or falling object



7% (-0.5% vs 2021)

of public liability accidents caused by assault or bodily force

Occurrence of Public Liability Accidents 2022

When we look at where accidents in public places occurred, we can see that 17% accidents occurred at a shop or store. This is down 3% on 2021 figures. 15.5% occurred on a roadway, down 2.5% from 2021. 13% of accidents occurred on a footpath, up 2.5% from 2021 and 11% of these accidents occurred at home. The figures in this illustration show the award levels county by county as per claimant address during 2022. These figures are representative of awards made in the State. 177 awards were made to claimants with addresses outside the State.



Over 70% of public liability cases involved a slip, trip or fall

Occurrence of Public Liability Accidents 2022



17% (-3% vs 2021)
of public liability accidents
occurred at a shop/store



15.5% (-2.5% vs 2021)
of public liability accidents
occurred on a roadway



13% (+1% vs 2021)
of public liability accidents
occurred on a footpath



11%
of public liability accidents
occurred at home

Figure 1.6 Most Common Public Liability Injuries

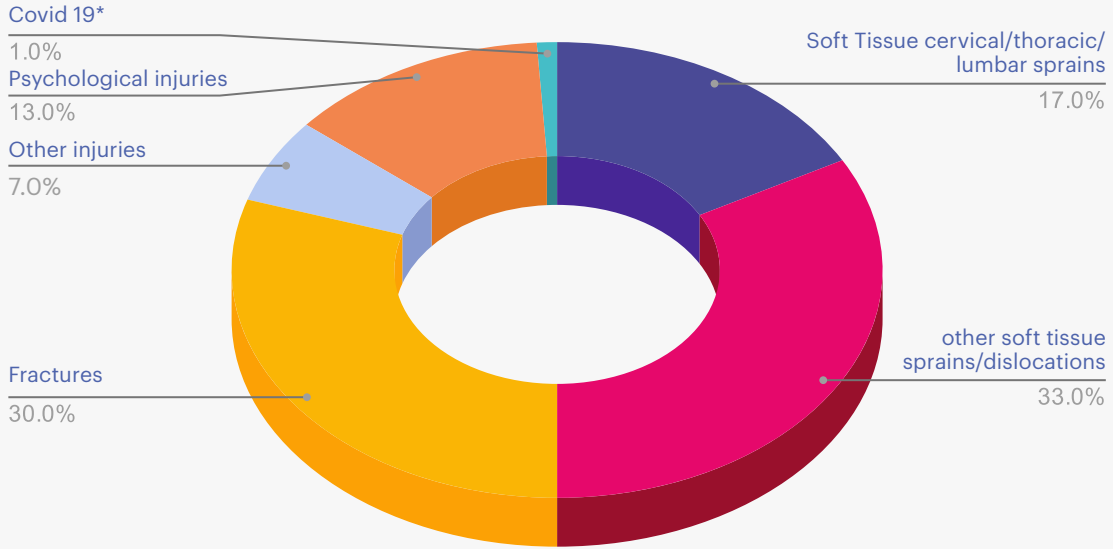


Table 1.19

10 Most common injuries – public liability (excl. psychological)	%
Sprain and strain of lumbar spine	8.00%
Sprain and strain of other and unspecified parts of knee	8.00%
Anxiety disorder, unspecified	8.00%
Sprain and strain of cervical spine	8.00%
Sprain and strain of shoulder joint	7.50%
Sprain and strain of ankle	7.00%
Fracture of lateral malleolus	5.50%
Fracture of lower radius (wrist)	5.50%
Concussion	4.50%
Post traumatic stress disorder	4.00%
Sprain and strain of wrist	3.00%
Sprain and strain of elbow	3.00%

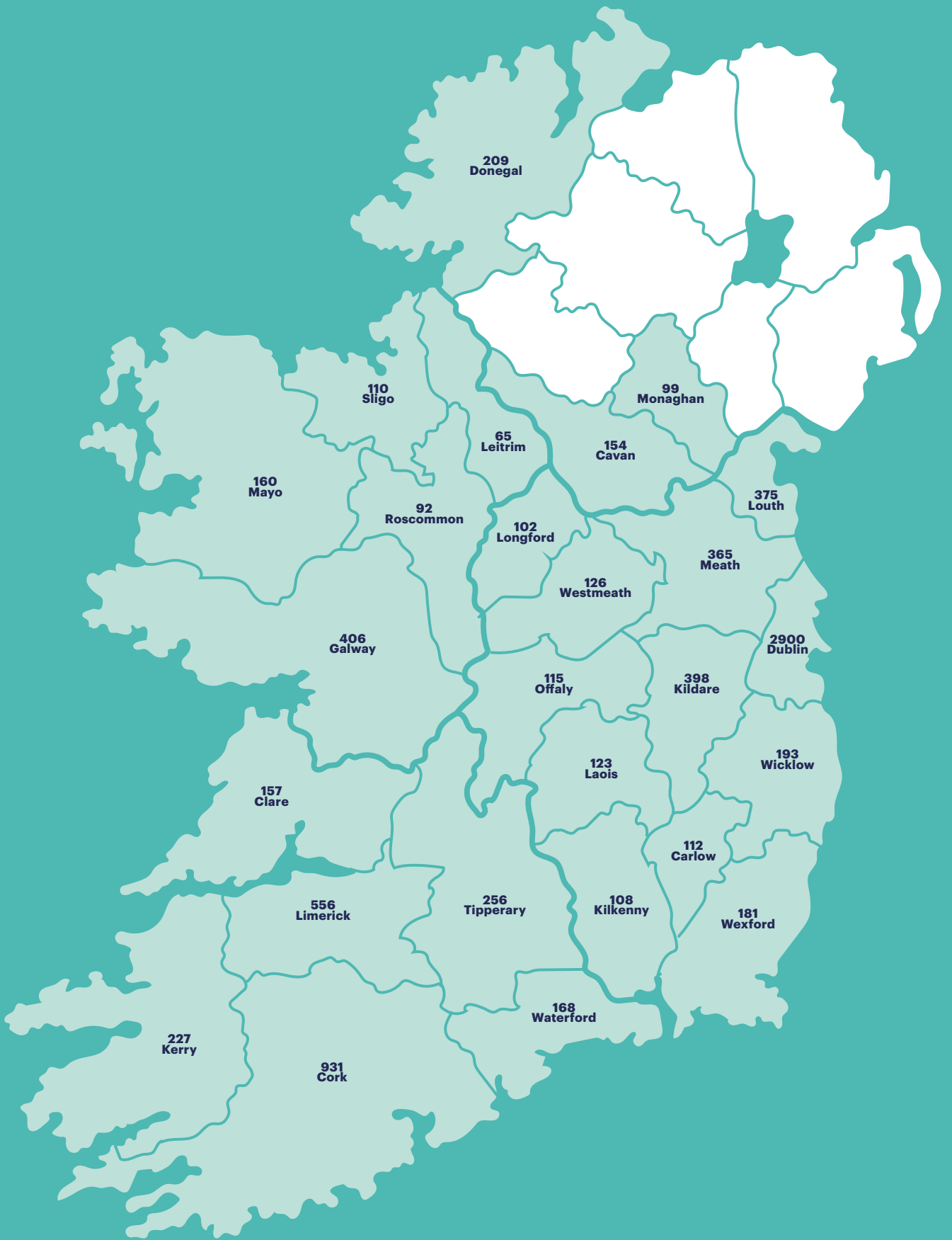


The figures in this illustration show the award levels county by county as per claimant address during 2022. These figures are representative of awards made in the State. 177 awards were made to claimants with addresses outside the State.

Table 1.20

County of residence	Number of claims in 2022	%Total Claims in 2022	%Population in 2022*
Co. Dublin	2900	33.4%	28.3%
Co. Carlow	112	1.3%	1.2%
Co. Kildare	398	4.6%	4.8%
Co. Kilkenny	108	1.2%	2.0%
Co. Laois	123	1.4%	1.8%
Co. Longford	102	1.2%	0.9%
Co. Louth	375	4.3%	2.7%
Co. Meath	365	4.2%	4.3%
Co. Offaly	115	1.3%	1.6%
Co. Westmeath	126	1.5%	1.9%
Co. Wexford	181	2.1%	3.2%
Co. Wicklow	193	2.2%	3.0%
Co. Cavan	154	1.8%	1.6%
Co. Donegal	209	2.4%	3.2%
Co. Galway	406	4.7%	5.4%
Co. Leitrim	65	0.8%	0.7%
Co. Mayo	160	1.8%	2.7%
Co. Monaghan	99	1.1%	1.3%
Co. Roscommon	92	1.1%	1.4%
Co. Sligo	110	1.3%	1.4%
Co. Clare	157	1.8%	2.5%
Co. Cork	931	10.7%	11.3%
Co. Kerry	227	2.6%	3.0%
Co. Limerick	556	6.4%	4.1%
Co. Tipperary	256	2.9%	3.3%
Co. Waterford	168	1.9%	2.5%
Total In the State	8688	100%	100%

*Proportion of the population residing in each county according to 2022 Census Data



3. Personal Injuries: Resolving More Claims

Highlights

- 1. Personal Injuries Resolution Board Act in place**
- 2. Mediation to be introduced**
- 3. Garda Compensation Scheme to come into PIAB's remit**

Major progress has been made in recent years on the insurance reform programme and in particular with the introduction of the Personal Injuries Guidelines in 2021. However, progress in this area cannot be about one measure, but multiple measures which complement each other. In 2022 PIAB worked with the Department of Enterprise, Trade and Employment to see what measures could be brought in to enhance PIAB's services so that there are more options to resolve personal injuries claims within PIAB so that less cases enter into the litigation system.

This culminated in the passing of new legislation, the Personal Injuries Resolution Board Act at the end of the year. Also this year, saw new legislation passed, the Garda Siochana (Compensation) Act 2022 which will give PIAB responsibility for the assessment of Garda Compensation Scheme claims so that these cases will no longer need to go into litigation and the courts process going forward. 2022 was also the first full year of operation of the Personal Injuries Guidelines.

All of these changes will enhance and improve the way that personal injuries claims are resolved in Ireland, placing an emphasis on the need to remove avoidable legal costs and to fairly compensate claimants in a non-adversarial way and also in a way which resolves claims much more quickly for the injured party and for the respondents be they a business, or an individual. This also benefits society and our economy as the cost of claims through insurance premiums can impact on not just affordability of insurance but also the availability in certain sectors.

“ Since our establishment we have assessed over 170,000 claims and awarded over €1.5 billion in compensation saving hundreds of millions in unnecessary legal costs

PIAB was established as part of the then Government's insurance reform programme almost 20 years ago. PIAB's original objective was to remove personal injury claims from unnecessary litigation and it has gone on to do that successfully for a significant proportion of cases. Since our establishment we have assessed over 170,000 claims and awarded over €1.5 billion in compensation saving hundreds of millions in unnecessary legal costs. More change is needed, however and the pieces of legislation delivered this year are important instruments in enabling PIAB to support the resolution of more claims.

The Personal Injuries Guidelines – First full year of Implementation

In April 2021 the Personal Injuries Guidelines became effective for the first time, and the changes within the Guidelines were significant for everyone involved in claims. The Guidelines transformed the way in which awards for personal injury compensation are made in Ireland. The Guidelines must be used by both PIAB and the courts in assessing compensation, or if they are not used then the reasons for that must be provided. 2022 was the first full year assessments were made in respect of the Guidelines.

Initially, given the significant changes involved, it took some time for people to get used to the Guidelines. However, while the acceptance rate fell initially, it has steadily recovered and by the end of 2022 was approaching pre-Guideline levels. As is shown in our average award reports, average award values have been relatively consistent since the Guidelines were introduced. Award levels have seen reductions of between 38% and 42% as compared to award levels prior to the Guidelines.

Impact of the Guidelines – PIAB Reports on Average Awards

Since the Guidelines were introduced PIAB has published 3 reports on average award values and injury trends. The reports provide details on how the Guidelines were implemented, contributing to transparency in the area. The objective of these reports was to provide insight into trends in personal injuries and awards.

What PIAB's reports on personal injury average award values show in broad terms is a sizeable reduction in the value of average awards since the Guidelines were introduced.

The overall average General Damages, these are damages awarded for pain and suffering, amount for the first half of 2022 was €12,273. This compared to average General Damages of €21,850 in 2020, a reduction of 44% on average amounts in 2020 and pre-guidelines.

The reports also show a dramatic change in the range of award values since the Guidelines were implemented. Pre the Guidelines, approximately 12% of claims were for €10K or less. Since the Guidelines, this has increased to 49% with 20% being under €5K. In respect of injury profiles, 53% of the claims assessed related to either back or neck injuries, and over 90% of these were minor injuries.



Before the Guidelines, about 12% of claims were under €10K. Since the Guidelines, this has increased to 49%

The Personal Injuries Resolution Board Act 2022

PIAB is committed to playing our part in the wider insurance reform agenda. Insurance reform requires a collective and cohesive approach. The Government's reform programme resulted in an action plan for reform. Enhancing and reforming PIAB was a central element of this plan.

A new piece of the legislation, the Personal Injuries Resolution Board Act 2022 was signed into law on 13th December 2022. The Act sees an evolution from claims assessment to claim resolution. This is a hugely significant piece of legislation for PIAB. It expands PIAB's role and enhances the ways in which claims can be resolved by PIAB for the benefit of all parties. The legislation will enable PIAB to offer a broader range of services – parties to claims will have more options to resolve their claims in PIAB, rather than enter into litigation, resulting in better outcomes for claimants and respondents while also leading to further savings in personal injuries claim costs.

It mandates increased public information provision so that the parties are aware of the benefits of the PIAB services, and it also provides for more detail to be provided by claimants. The legislation also empowers PIAB to provide greater information to An Garda Síochána, as part of measures to reduce fraud in the personal injuries sector.

The Personal Injuries Resolution Board Act is the most significant change to PIAB's role since it was established. The Act becomes operative on a phased basis and already in 2023 the first phase has been commenced in February.

This first phase includes;

- Extension of the time allowed where there is need for the injury to settle and ensuring cases of wholly psychological injury can be dealt with.
- Provisions covering costs if a court award is not higher than the value of the PIAB assessment.
- Making it an offence to supply false information to PIAB.

In 2023 as various parts of the legislation are commenced PIAB's services will be extended to offer a mediation service. In addition changes to the PIAB application process will be introduced to enable better anti-fraud measures and more robust data upfront. In order for a claim to be acknowledged as complete, PIAB will require more detailed information from the claimant in their application.

Mediation

Mediation is a voluntary, confidential process whereby the parties themselves are facilitated to reach solutions. It is non-adversarial and is recognised as an effective dispute resolution method. Mediation will enable PIAB to offer a broader range of services to resolve more personal injuries claims. The new legislation providing for mediation strengthens PIAB in its work of removing the costs of expensive and lengthy litigation.

The PIAB mediation option is intended to allow parties to try to reach a settlement and facilitate a resolution of a claim. Mediation allows parties to get speedy access to a cost-effective process that may produce a satisfactory outcome for them in a short space of time. The process can be flexible and if appropriate less formal than other dispute resolution processes. The parties themselves get to decide how issues are resolved. PIAB expects to commence the provision of mediation on a phased basis late in 2023.

Garda Compensation Scheme

The Garda Síochána (Compensation) Act 2022 brings Garda compensation claims within the PIAB remit. The legislation which only commenced in 2023 will benefit claimants by decreasing the length of time it takes for a Garda Compensation claim to progress from initial application to award in the case of injuries sustained maliciously by a Garda. It provides avenues for settlement and resolution at the earliest possible stage with an independent assessment of the injury and compensation by PIAB. Prior to this new legislation, all Garda compensation claims had to be heard in the High Court. This added significant cost, time and stress to the victims, and also added significant cost to the State. Under the new system, if the case is not settled directly with the State Claims Agency, the cases will come to PIAB and only if either party does not accept an award of compensation at the PIAB stage, will the cases proceed to court. Importantly, now proceedings can be brought to the court that has relevant monetary jurisdiction to deal with it rather than just the high court

To summarise, all the above reforms have set the stage for an improved personal injuries environment, which is necessary for fairly resolving claims and for further removing avoidable claims costs. This should result in insurance cover being more widely available, particularly as regards public liability insurance and should ensure that insurance premiums are lower than they would otherwise be.



The Garda Síochána (Compensation) Act 2022 brings Garda compensation claims within the PIAB remit

4. Delivering For Our Customers

Highlights

1. **€3m investment in Digital Transformation Programme**
2. **Advertising campaigns and broadening of social media reach**
3. **Over 260,000 emails dealt with**
4. **255,194 visits to the website**

Your system is very straightforward & easy to use. I'm delighted with the outcome & my working conditions have improved after my accident.

Feedback from accident victim who used PIAB

Delivering excellent customer service is a priority for PIAB in all its operations. We want to consistently improve the customer experience and the range of services we provide, and to make those services as streamlined, responsive and accessible as possible for all our customers.

Digital Transformation Programme

During 2022 we started one of the biggest projects in our history. The Digital Transformation Programme will improve how PIAB interacts with customers and how we provide information. It will replace our current Claims Management System.

It is expected that the first phase of the new system will be delivered later this year, having concluded public procurement in 2022. The

new system will improve our existing web portal allowing both documents to be uploaded easily and the progress of a claim in our process to be visible for insurers, direct claimants and solicitors. This will improve the experience of customers by enhancing the way in which they access our system. It will improve methods of communication and allow for efficient and timely exchange of information. It will support PIAB teams in delivering services more efficiently for our Customers and will do this by optimising technology and moving to a better digital environment in order to enhance processes, including document management and workflow.

Thank you for processing & resolving our claims in such a speedy & efficient manner... we found the PIAB claims process to be objective, transparent & fair.

Feedback from accident victims who used PIAB

Customer Service

PIAB provides services to its customers through a wide range of channels:



22,000 telephone calls answered in 2022 (-13% vs 2021)



We dealt with **261,338** incoming e-mails (+33%)



12,647 medical appointments were arranged.(-25%)



371 webchats answered (-18%)



229,397 items of correspondence were dealt with relating to existing claims (+25%)



43 seconds is the average wait time to speak to one of our agents

The new digital system will ensure we can make real improvements to the analysis and reporting of data, which is one of the ways that PIAB provides added value. This will make positive changes to the way the business operates, as well as assisting with the reform programme and policy development, accident prevention and safety promotion, and transparency.

PIAB will introduce a further mean of helping customers this year, with our adoption of SMS messaging which will keep them informed and alert them to medical examination appointments, so that their use of the system is as convenient as possible.

Customer Complaints

PIAB's Customer Charter is published on the website and sets out PIAB's commitment to customer service and the process for making a complaint where a customer is not satisfied with our service. Hearing from our

customers helps us to improve our customer service and further develop our services, therefore we really appreciate any feedback. In 2022 PIAB received a total of 84 complaints through our formal complaints procedure. This compares to 85 complaints in 2021. As in previous years, complaints relating to medical examinations were those most received. Other areas where complaints were received were in relation to administrative issues and to the changes brought about by the Personal Injuries Guidelines. Complaints corresponded to less than 0.5% of all applications made in 2022, but we are clear that any complaint means a dissatisfied customer, so each one is treated seriously, and lessons are learned where possible.

Website

We had 255,194 visits to our website during 2022. This compared to 254,336 visits in 2021. We had 36,517 new visitors to the website in 2022.

A major multi-channel advertising campaign took place in 2022 which included extra investment in social media advertising, bringing more people to our website.

We regularly updated content on the website during the year, including content in 14 languages as well as Irish and English.

Social Media

Our PIAB social media channels offer us an opportunity to communicate messages with a wide audience on topics relevant to them. Through our channels we strive to create an environment which promotes positive, clear and timely communications.

We were very active during the year in the social media area, engaging with our followers through regular posts containing useful information. PIAB has three social media channels active at present – Twitter, (@PIABireland) LinkedIn (Personal Injuries Assessment Board) and Facebook (@PIABireland). The number of PIAB's Twitter followers increased steadily during the year to over 1,000.

We established a LinkedIn account and Facebook page during the year and posted regularly. Our LinkedIn page has over 800 followers and had very active engagement during the year.

Advertising Campaign

PIAB ran an advertising campaign in 2022 with a strong focus on building awareness of PIAB and why people should use our services. The Campaign ran on national, regional and urban radio, national and regional press and on social and web search. The key focus was on PIAB being an impartial body for assessing personal injury claims, and on the Personal Injuries Guidelines. The advertisements highlighted the fact that that PIAB uses the same guidelines as the courts when calculating compensation and that PIAB's process is faster and far cheaper compared to litigation. PIAB will continue to increase our work on public information and engagement in the year ahead.

This campaign followed an earlier campaign on social media around the 'Get, Better, Soon' tagline emphasising that using the PIAB service is better for everyone because of its low legal costs, and that it delivers resolution far sooner than litigation.

Advertising Campaign Reach



Radio: 6,670,472



Press: 1,040,000



Digital: 753,084



Social Reach: 12.3M



Search Advertising Hits: 40,786



Our Communications



Our CEO, Rosalind Carroll and our Operations Manager, Peter O'Brien were delighted to present to the members of The Insurance Institute today. Thank you @insti_ie for the opportunity and we look forward to our next event with you.



Step 5 of our #5StepProcess to making a claim:

You and the respondent (the person or organisation you're claiming from) both receive a PIAB Notice of Assessment which sets out the PIAB compensation amount.

The respondent has 21 days to accept the assessment and the claimant (you) has 28 days.

Where both parties accept the amount of compensation, PIAB issues a document called an Order to Pay, instructing the respondent to pay the sum. Following that, the respondent issues the settlement amount.

<https://bit.ly/42GoEd1>



#5StepProcess

5. How We Work

PIAB Organisation

The PIAB CEO Rosalind Carroll is responsible for the leadership, strategic direction and management of the organisation and is supported in her role by an Executive Management Team.

The members of that team are: Eileen Devereux, Chief Operations Officer; Helen Moran, Director of Business Support Services; Stephen Watkins, Director of Corporate Services; Bernadette King, Director of Finance and Financial Systems

We know that our staff are key to the delivery of our current and future services and we are committed to developing our staff and to ensuring a high level of performance.

Values

The values that we strive to authentically implement and live by in our engagement inside and outside the organisation in the work that we do are:

- **Collaboration**
- **Respect**
- **Openness**
- **Integrity**

Return to the Office and Flexible Work Practises

Like all organisations, PIAB operations were impacted during the pandemic. We had always operated flexible working, and during the past three years had introduced remote working in order to maintain our services,

In 2022 PIAB introduced a blended work model including remote and office based working. Collaboration is an important value in PIAB and particularly important when there is an extensive programme of change to deliver and that is key in our return to office working.

Employee Wellbeing and Training

We held seminars on returning to an office environment to address any potential fears or anxieties that staff may have had. Our wellbeing initiatives continued throughout 2022 with voluntary health screening, offer of flu vaccines, and webinars delivered on men's health and menopause. We also continued to maintain our building facilities in line with best practice for preventing virus spread.

Investment in professional development not only benefits the employee, but it also benefits the organisation. In 2022, our staff did extensive training courses across a range of subject areas.



Equality, Diversity and Inclusion

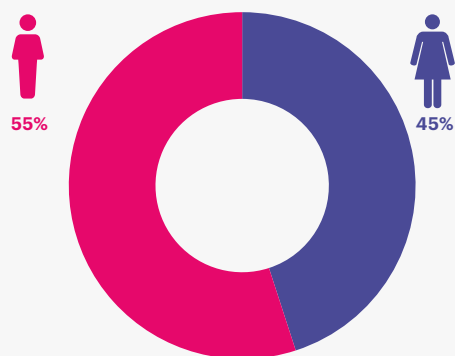
We are an organisation that celebrates diversity and welcomes the value it can bring. Diversity within the organisation adds opportunity to maximise our services in responding to the diversity in the society we serve. As a public body, but also a body that serves people who have been injured, we want to foster a diverse workforce and eliminate discrimination, promote equality of opportunity and treatment, and protect the human rights of those we provide services to and our staff. We know diversity strengthens us and reflects modern Ireland and the people we serve, and we organised initiatives in this area during the year. Almost 12% of our staff have informed us that they have a disability.

In terms of Gender Pay Profile 60% of our staff are female, with female staff representing 60% of senior management grades (Principal Officer grade and higher). The number of staff at the end of 2022 was 74. During the year we recruited 1 new staff member.

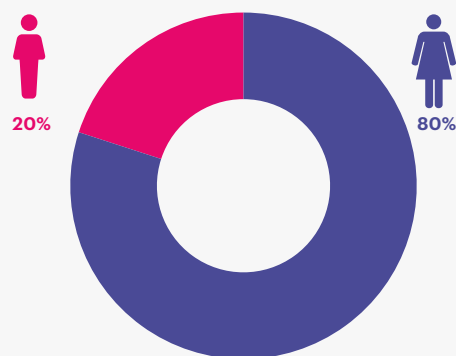
PIAB Gender Profile By Grade

Grade	Female	Male
Clerical Officer	63%	37%
Executive Officer	75%	25%
Higher Executive Officer	70%	30%
Assistant Principal	41%	59%
Principal Officer/EMT	62%	38%

Board Members



Executive Management Team



PIAB Staff



Board Evaluation

During 2022 an internal Board evaluation took place using the standard questionnaire. The Board evaluation incorporated an analysis of the gender, diversity and skills mix within the Board. At year end the Board met the Government target of a minimum of 40% representation of each gender in its membership. Separately an effectiveness review of the Audit & Risk Committee's performance was conducted. The findings of the Board evaluation and the Audit & Risk Committee effectiveness review were reported back to all Members.

Data Protection

PIAB is committed to maintaining the highest standards of data protection in relation to the personal and sensitive personal data it holds and processes. PIAB has a Data Protection Code of Practice published on its website and has comprehensive policies and processes in place to protect data and the rights of data subjects. Regular training and briefing of staff takes place with data protection information integrated into operational processes and procedures. PIAB compiled a significant number of Data Protection Impact Assessments during 2022 assessing the risk of various types of processing, the potential impact on data subjects, whether such processing could proceed and recommended controls where processing was proceeding. PIAB uses technical and operational measures to safeguard its data including a firewall, anti-virus software, intrusion testing, password protection and encryption.

Freedom of Information

PIAB is one of the organisations covered by the Freedom of Information Act. The organisation responded to a number of requests both case-related and more general in 2022. Under its FOI Publication Scheme, PIAB publishes information on its services, financial information, and procurement on its website.

Official Languages Act 2003

PIAB comes under the remit of the Official Languages Act 2003 which provides a statutory framework for the delivery of services through the Irish Language. In accordance with Section 10 of the Act, this Annual Report is published simultaneously in Irish and English. Our Strategy Document is also published in Irish and English and information for claimants and respondents is on our website in Irish and English. The implementation last October of the legal provision under the Act covering advertising), means all public bodies are now obliged to ensure that at least 20% of their annual advertising is in Irish and that they spend 5% of their advertising budgets on advertising in Irish. We have ensured we are fully in compliance since the introduction of this provision.

Safety, Health and Welfare at Work Act 2005

In accordance with the Safety, Health and Welfare at Work Act 2005, PIAB has implemented procedures to ensure compliance with all of the Act's provisions. We have adopted a safety statement that encompasses all aspects of staff welfare. In addition, we have adopted specific procedures relating to health and safety around the Covid pandemic and the Return to Office.

Energy Efficiency

PIAB's energy consumption at its premises relates to electricity used for heating/air conditioning, lighting and operation of IT equipment. As the organisation implemented its Return To Office through 2021 and 2022, there was increased resulting energy usage. Our Energy usage reduction as reported to SEAI since baseline in 2009 to 2022 is 62.10%. PIAB directly consumed 109,850 KWh of energy, consisting solely of electricity use. Overall, there was a 20.25% increase in electricity usage from 2021 to 2022 in our premises in Tallaght, Dublin. Since 2022, PIAB has initiated a programme of energy saving measures, which we will report on in the next Annual Report.

Employment Equality

PIAB is proud to be an equal opportunity employer. We make employment decisions without regard to gender, civil status, family status, sexual orientation, religion, age, disability, race or membership of the Traveller Community. We assist and/or provide reasonable accommodation as required to any employee or potential employee with a disability. In 2022 over 15% of employees of PIAB had a declared disability. We celebrate diversity and foster an environment where variety of backgrounds, perspectives, abilities and skills are welcomed as we appreciate that only a diverse employee profile can truly represent the diverse abilities and backgrounds of our customer and stakeholders.

Human Rights

PIAB's Customer Charter commits the organization to treating customers equally, fairly and with respect. PIAB is aware of the categories of people protected by equality law and does not discriminate on any of the grounds set down in relation to provision of the goods and services in the Equal Status Acts 2000-2015 (ESA). PIAB does not discriminate on grounds of gender; civil status; parental status; maternity status; family status; sexual orientation; religion; age; race, nationality, or ethnic background; membership of the Traveller community; or disability.

PIAB provides services to all claimants and respondents, relating to claims which have occurred in the Republic of Ireland, and takes decisions based on its role and responsibilities under legislation including the Personal Injuries Assessment Acts, as amended, and other relevant laws. PIAB's commitment to fair, efficient and transparent resolution of claims is clearly set out on its website. The updated PIAB website is written in a simple and clear manner and has been developed to provide improved access to people with visual disabilities.

6. Governance & Financial Statements

Governance

The Personal Injuries Assessment Board (PIAB) is a non-commercial State body. Its functions and duties are set out in the Personal Injuries Resolution Board Acts 2003 to 2022. The Board is accountable to the Minister for Enterprise, Trade and Employment and is responsible for the good governance of the PIAB. The Board performs this task by setting strategic objectives and targets for the organisation and taking strategic decisions on all key business matters and the execution of other fiduciary duties.

The regular day-to-day management, control and direction of the PIAB are the responsibility of the Chief Executive (CE) and the executive management team. The CE and the management team follow the broad strategic direction set by the Board and must ensure that all Board members have a clear understanding of the key activities and decisions related to the entity, and of any significant risks likely to arise. The CE acts as a direct liaison between the Board and management of the PIAB.

How the Board operates – Role and responsibilities of the Board

The work and responsibilities of the Board are set out in the Terms of Reference of the Board, which also contain the matters specifically reserved for Board decision.

Standing items by the Board include:

- Declaration of interests
- Reports from Audit and Risk Committee
- Performance reports from CE and Executive Management team, and
- Financial reports/management accounts

The Board also considers matters specially reserved for it, including:

- Ensuring that the Board operates within the limits of its statutory authority and/or any delegated authority agreed with the Minister;
- Monitoring the effectiveness of the Board's risk management processes and systems to ensure the effective identification, monitoring and control of risks;
- Undertaking an annual assessment of the effectiveness of internal control and risk management processes;

- Agreement of the purchasing procedures of the Board, including the delegated levels of authority;
- Approval of major purchases/contracts;
- Approval of any significant changes in accounting policies or practices;
- Approval of Annual Reports;
- Approval and monitoring of the Annual Budget;

Section 77 of the Personal Injuries Assessment Board Act, 2003, requires the Board to prepare annual financial statements in the format and manner specified by the Minister for Enterprise, Trade and Employment.

In preparing these financial statements, the Board is required to:

- Select suitable accounting policies and apply them consistently.
- Make judgements and estimates that are reasonable and prudent.
- Prepare the financial statements on a going concern basis unless it is inappropriate to presume the Board will continue in operation.
- State whether applicable accounting standards have been followed, subject to any material departures disclosed and explained in the financial statements.

The Board is responsible for keeping adequate accounting records which disclose, with reasonable accuracy at any time, the financial position of the Board and which enable it to ensure that the financial statements comply with Section 77 of the Act. The Board is also responsible for safeguarding the assets and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

The Board considers that the financial statements of PIAB give a true and fair view of

the financial performance and the financial position of PIAB at 31 December 2022.

As outlined in the Statement on Internal Control contained within the Financial Statements which form part of this Annual Report, the Board carried out a review of the effectiveness of internal controls within the organisation in respect of the year. This review was informed by the work of the internal auditor, the Audit and Risk Committee which oversees the work of the internal auditor, and the organisation's Executive which has responsibility for the development and maintenance of the control framework. The Board concluded that they are satisfied as to the effectiveness of the system of internal controls in place in the organisation.

During the year, the Board carried out an assessment of the organisation's principal risks, including a description of the risk and associated measures or strategies to control and mitigate these risks. Board Members concluded that they were satisfied as to the risk management framework and associated processes in place.

Board Structure

The Board consists of a Chairperson, and nine ordinary (non-executive) members and the Chief Executive Officer. The Members of the Board are appointed by the Minister for Enterprise, Trade & Employment for a defined period in accordance with the terms of the Personal Injuries Assessment Board Act 2003.

The Board met nine times during 2022. The Chief Executive and members of the executive attend at Board meetings for the purposes of discussing relevant matters. During 2022 the Board also met on occasion, without Executive Members present, to discuss any matters that were deemed relevant. The table below lists all Board Members who served in 2022 and their attendance record at Board meetings.

Full List of Board Members during 2022

Name		Attendance Record
Dermot Divilly	Chairperson	9 out of 9
Rosalind Carroll	Chief Executive	9 out of 9
Colette Crowne	Non Executive Director	1 out of 1
Aengus Cummins	Non Executive Director	7 out of 9
Conor Faughnan	Non Executive Director	1 out of 1
Karen Furlong	Non Executive Director	7 out of 9
Nuala E. Jackson	Non Executive Director	9 out of 9
Cathal Lafferty	Non Executive Director	8 out of 9
Marion O'Brien	Non Executive Director	8 out of 9
Dr Jean O'Sullivan	Non Executive Director	7 out of 9
John Shine	Non Executive Director	9 out of 9
Jonathan Small	Non Executive Director	6 out of 7

Secretary to the Board – Stephen Watkins (Attendance record: 9 out of 9)

Board Member Changes

Jonathan Small was appointed from the 1st of March 2022. Conor Faughnan was appointed from the 8th of November 2022. Colette Crowne resigned from the 28th of January 2022. At the end of the year there were no vacancies on the Board.

Board Committees

The Board has also established an Audit and Risk Committee comprising a number of Board Members. The role of this committee is to support the Board in relation to its responsibilities for issues of risk, control and governance and associated assurance. The Committee is independent from the financial management of the organisation. In particular the Committee ensures that the internal control systems including audit activities are monitored actively and independently. The Committee reports to the Board after each meeting, and formally in writing annually. The Committee met six times during 2022. Details of Committee membership during the year follow:

Audit and Risk Committee Members 2022

Name	Attendance Record
Cathal Lafferty (Chairperson)	6 of 6
Aengus Cummins	6 of 6
Karen Furlong	6 of 6
John Shine	5 of 6

Secretary: Stephen Watkins

Board Fees and Expenses

Details of fees paid to Board Members are set out below. As in previous years, no expenses were paid to Board Members.

Name	2022 €	2021 €
Dermot Divilly – Chairperson	20,520	20,520
Walter Cullen	0	3,990
Aengus Cummins	11,970	11,970
Karen Furlong	11,970	11,970
Nuala E. Jackson	11,970	11,970
Margot Slattery	0	3,990
Conor Faughnan	1,112	0
Total	57,542	64,410

The following Board Members were paid no fees during 2022 due to the application of One Person One salary principle: Cathal Lafferty, Dr Jean O’Sullivan, Colette Crowne, John Shine, Marion O’Brien, Jonathan Small and Rosalind Carroll.

The Board is responsible for ensuring that PIAB has complied with the requirements of the Code of Practice for the Governance of State Bodies (the Code) as published by the Department of Public Expenditure and Reform (DPER) in August 2016. The following disclosures are required by the Code:

Employee Short-Term Benefits Breakdown

(The disclosure in relation to this is contained in Note 3 in the Financial Statements in this Annual Report).

Consultancy Costs

(The disclosure in relation to this is contained in Note 5 in the Financial Statements in this Annual Report).

Legal Costs and Settlements

(The disclosure in relation to general legal advices is contained in Note 5 in the Financial Statements in this Annual Report).

Travel and Subsistence Expenditure

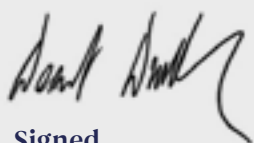
(The disclosure in relation to this is contained in Note 5 in the Financial Statements in this Annual Report).

Hospitality Expenditure

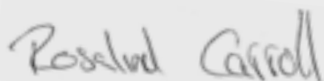
(The disclosure in relation to this is contained in Note 5 in the Financial Statements in this Annual Report).

Statement of Compliance

The Board has adopted the Code of Practice for the Governance of State Bodies (2016) and has put procedures in place to ensure compliance with the Code. PIAB was in full compliance with the Code of Practice during 2022



Signed
Dermot Divilly
Chairperson
28/9/2023



Signed
Rosalind Carroll
Chief Executive
28/9/2023

Corporate Governance

- **Risk:** The Code of Practice for the Governance of State Bodies details the standards to which PIAB must operate to in the area of Corporate Governance, Compliance and Risk. The Audit & Risk Committee met formally six times during 2022. Throughout the year the Executive formally reviewed Risk to include the organisational Risk Register and presented to the Committee. A review of PIAB's Risk Management Framework policy was concluded during the year.
- **Code of Practice for the Governance of State Bodies:** PIAB has developed and implemented procedures to ensure that it fully complies with the new Code which was introduced in August 2016 and formally adopted by the Board. Annually, the Board's Chairperson formally confirms to the Minister for Enterprise Trade and Employment PIAB's compliance with the Code. This includes confirmation of compliance with and adherence to the Public Spending Code. As part of the requirements of the Code, an agreed Service Level Agreement has been developed with our parent Department.
- **Ethics in Public Office:** PIAB comes within the scope of the Ethics in Public Office Act, 1995 and has adopted procedures to comply with the Act. Accordingly, where required, Board Members and staff holding designated positions have completed statements of interest in compliance with the provisions of the Act. Furthermore, procedures are in place for the on-going disclosure of interests by Board Members which is a question asked at the outset of every Board meeting. Staff at management level are also subject to this legislation.

Safety, Health and Welfare at Work Act 2005

In accordance with the Safety, Health and Welfare at Work Act 2005, PIAB has implemented procedures to comply with the provisions of the Act and regulations thereunder. We have adopted a safety statement that encompasses all of the aspects of staff welfare. In addition, we adopted specific health and safety procedures relating to the return to the office following the pandemic and in implementing our blended working policy.

Protected Disclosures

PIAB has in place a policy and procedures for the making of Protected Disclosures, which have been developed in line with the Protected Disclosures Act 2014 as amended by the Protected Disclosures (Amendment) Act 2022. This policy and procedures sets out the process by which a 'worker' of the PIAB can make a protected disclosure, what will happen when a disclosure is made and what the PIAB will do to protect the discloser.

Section 22 of the Protected Disclosures Act 2014 requires the publication of an Annual Report each year relating to the number of protected disclosures made in the preceding year and any actions taken in response to such disclosures. Pursuant to this PIAB can confirm that no protected disclosures were received in accordance with the provisions of the Protected Disclosures Act 2014 for the financial year from 1 January 2022 to 31 December 2022.

Prompt Payment of Accounts

PIAB acknowledges its responsibility for ensuring compliance in all material respects with the provisions of the European Communities (Late Payment in Commercial Transactions) Regulations, 2012 (SI.580 of 2012), which provides that penalty interest will become payable if payments for commercial transactions are not met within 30 days, unless otherwise specified in a contract or agreement. It is our policy to ensure that all invoices are tracked and paid promptly before their due date for interest and charges purposes. Procedures are in place to provide reasonable assurances against non-compliance with the Act and Regulations.

Taxation

PIAB confirms compliance with tax laws. Procedures are in place to ensure that PIAB is exemplary in its compliance with its obligation under taxation laws and that all tax liabilities are paid on or before the relevant due dates.

7. Financial Statements For The Financial Year Ended 31 December 2022



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General Information

Members of the Board

Dermot Divilly (Chairperson)

Rosalind Carroll (CEO)

Colette Crowne

Nuala Jackson

Dr. Jean O'Sullivan

Aengus Cummins

Karen Furlong

Cathal Lafferty

John Shine

Marion O'Brien

Jonathan Small

Conor Faughnan

Membership ceased 28 January 2022

Membership commenced 1st March 2022

Membership commenced 8th November 2022

Office

Grain House, Exchange Hall,
Belgard Square North, Tallaght,
Dublin 24, D24 PXW0

Auditors

Comptroller and Auditor General,
3A Mayor Street Upper, North
Wall, Dublin 1, D01 PF72

Bankers

Bank of Ireland, 4 – 6 Priorsgate,
Main Street, Tallaght,
Dublin 24, D24 XY66

Ulster Bank Group, George's
Quay, Dublin 2, D02 VR98

Solicitors

Eversheds Sutherland,
One Earlsfort Centre, Earlsfort
Terrace, Dublin 2, D02 X668

Website

www.piab.ie

Statement on Internal Control

Responsibility for system of internal control

On behalf of the PIAB (Personal Injuries Assessment Board), I acknowledge the Board's responsibility for ensuring that an effective system of internal control is maintained and operated. This responsibility takes account of the requirements of the Code of Practice for the Governance of State Bodies (2016).

Purpose of the System of Internal Control

The system of internal control is designed to manage risk to a tolerable level rather than eliminate it. The system can therefore only provide reasonable and not absolute assurance that assets are safeguarded, transactions authorised and properly recorded, and that material errors or irregularities, are either prevented or would be detected in a timely manner.

The system of internal control, which accords with guidance issued by the Department of Public Expenditure and Reform, has been in place in PIAB for the year ended 31 December 2022 and up to the date of approval of the financial statements.

Control Environment

PIAB has an Audit and Risk Committee (ARC) which is comprised of non-executive Board members, includes persons possessing recent and relevant financial experience including competency in accounting, audit and risk management. The ARC met six times in 2022. PIAB has also established an internal audit function which is adequately resourced and conducts a programme of work agreed with the ARC. The internal Audit function operates in accordance with an approved Internal Audit Charter, which is consistent with the provisions set out in the Code and conducts a programme of work agreed with the ARC, and the Board. The plan takes account of areas of potential risk identified by the Organisation having regard to its strategic objectives and risk management framework. The internal auditor provides the Audit and Risk Committee with regular reports on assignments carried out. These reports highlight deficiencies or weaknesses, if any, in the system of internal control and the

recommended corrective measures to be taken where necessary. PIAB has developed a risk management framework, approved by the Board, which sets out its risk appetite, the risk management processes in place and details the roles and responsibilities of staff in relation to risk. The policy and contents have been brought to the attention of all staff who are expected to work within PIAB's risk management policies, to alert management on emerging risks and control weaknesses and assume responsibility for risks and controls within their own area of work.

Risk and Control Framework

PIAB has implemented a risk management system which identifies and reports key risks and the management actions being taken to address and, to the fullest extent possible, to mitigate those risks.

A risk register is in place which identifies the key risks facing PIAB and these have been identified, evaluated and graded according to their significance. The register is reviewed and updated by the ARC regularly throughout the year and during 2022 it was reviewed at all meetings. The outcome of these reviews are used to plan and allocate resources to ensure risks are managed to an acceptable level.

The risk register details the controls and actions in place to mitigate risks and where responsibility for the operation of these controls and implementation of associated actions is i.e. specific business units/managers.

The Board has taken steps to ensure an appropriate control environment is in place with the following elements:

- a Chief Risk Officer has been appointed to oversee the implementation of the risk management framework
- procedures for all key business processes have been documented
- there is an appropriate budgeting system with an annual budget, which is reviewed and approved by the Board
- the annual budget is kept under review by senior management and the Board
- a comprehensive monthly reporting system

- including financial and operational reporting, which is kept under review by senior management
- financial and operational responsibilities have been assigned at management level with corresponding accountability,
- regular internal audit reviews on financial, operational and compliance controls and procedures.
- there are systems aimed at ensuring the security of the information and communication technology systems,
- there are systems in place to safeguard the assets.

Ongoing Monitoring and Review:

Formal procedures have been established for monitoring control processes and control deficiencies are communicated to those responsible for taking corrective action and to management and the Board, where relevant, in a timely manner.

The system of internal control is based on a framework of regular management reporting, administrative procedures including segregation of duties and a system of delegation and accountability. In particular it includes:

- Key risks and related controls have been identified and processes have been put in place to monitor the operation of those key controls and report any identified deficiencies,
- reporting arrangements have been established at all levels where responsibility for financial management has been assigned,
- there are regular reviews by senior management of periodic and annual performance and financial reports which indicate performance against budgets/forecasts.
- a review of risk at each Board meeting;
- a three year internal audit plan is agreed. The audit plan is reviewed and agreed annually. The internal audit programme provides an independent and objective opinion on the control environment.

Procurement

I confirm that PIAB has policies and procedures in place to ensure compliance with current procurement rules and guidelines. To ensure best

practice in this area, training is provided to key staff and management on a regular basis. PIAB have a contract register and procurement plan in place to enable proper planning for procurement of contracts. During the year, expenditure of €11,594,300 was incurred on goods and services.

Matters arising regarding Controls over procurement are highlighted under Internal Control Issues below

Internal Control Issues

Non Compliant Procurement

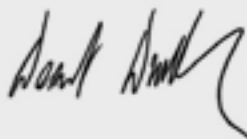
There were no instances of non-compliant procurement in 2022. The two instances of non-compliant procurement outlined in the 2021 Financial Statements were resolved during the year.

Review of Effectiveness

I confirm that PIAB has procedures to monitor the effectiveness of its risk management and control procedures. PIAB's monitoring and review of the effectiveness of the system of internal control is informed by the work of the Internal Auditor, the Office of the Comptroller and Auditor General, the Audit and Risk committee, which oversees their work, and the senior management within PIAB responsible for the development and maintenance of the internal control framework.

I confirm that the Board conducted an annual review of the effectiveness of the system of internal controls in March 2023.

Signed on behalf of the Board;



Dermot Divilly
Chairperson
28/9/2023



Ard Reachtaire Cuntas agus Ciste **Comptroller and Auditor General**

Report for presentation to the Houses of the Oireachtas

Personal Injuries Assessment Board

Opinion on the financial statements

I have audited the financial statements of the Personal Injuries Assessment Board for the year ended 31 December 2022 as required under the provisions of section 77 of the Personal Injuries Assessment Board Act 2003. The financial statements comprise

- the statement of income and expenditure and retained revenue reserves
- the statement of comprehensive income
- the statement of financial position
- the statement of cash flows, and
- the related notes, including a summary of significant accounting policies.

In my opinion, the financial statements give a true and fair view of the assets, liabilities and financial position of the Personal Injuries Assessment Board at 31 December 2022 and of its income and expenditure for 2022 in accordance with Financial Reporting Standard (FRS) 102 — *The Financial Reporting Standard applicable in the UK and the Republic of Ireland*.

Basis of opinion

I conducted my audit of the financial statements in accordance with the International Standards on Auditing (ISAs) as promulgated by the International Organisation of Supreme Audit Institutions. My responsibilities under those standards are described in the appendix to this report. I am independent of the Personal Injuries Assessment Board and have fulfilled my other ethical responsibilities in accordance with the standards.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Report on information other than the financial statements, and on other matters

The Personal Injuries Assessment Board has presented certain other information together with the financial statements. This comprises the annual report including the governance statement and Board members' report, and the statement on internal control. My responsibilities to report in relation to such information, and on certain other matters upon which I report by exception, are described in the appendix to this report.

I have nothing to report in that regard.

Georgina O Mahony
For and on behalf of the
Comptroller and Auditor General
29 September 2023

Appendix to the report

Responsibilities of Board members

As detailed in the governance statement and Board members' report, the Board members are responsible for

- the preparation of annual financial statements in the form prescribed under section 77 of the Personal Injuries Assessment Board Act 2003
- ensuring that the financial statements give a true and fair view in accordance with FRS 102
- ensuring the regularity of transactions
- assessing whether the use of the going concern basis of accounting is appropriate, and
- such internal control as they determine is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Responsibilities of the Comptroller and Auditor General

I am required under section 77 of the Personal Injuries Assessment Board Act 2003 to audit the financial statements of the Personal Injuries Assessment Board and to report thereon to the Houses of the Oireachtas.

My objective in carrying out the audit is to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement due to fraud or error. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the ISAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with the ISAs, I exercise professional judgment and maintain professional scepticism throughout the audit. In doing so,

- I identify and assess the risks of material misstatement of the financial statements whether due to fraud or error; design and perform audit procedures responsive to those risks; and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- I obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the internal controls.
- I evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures.

- I conclude on the appropriateness of the use of the going concern basis of accounting and, based on the audit evidence obtained, on whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Personal Injuries Assessment Board's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my report. However, future events or conditions may cause the Personal Injuries Assessment Board to cease to continue as a going concern.
- I evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

I communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

I report by exception if, in my opinion,

- I have not received all the information and explanations I required for my audit, or
- the accounting records were not sufficient to permit the financial statements to be readily and properly audited, or
- the financial statements are not in agreement with the accounting records.

Information other than the financial statements

My opinion on the financial statements does not cover the other information presented with those statements, and I do not express any form of assurance conclusion thereon.

In connection with my audit of the financial statements, I am required under the ISAs to read the other information presented and, in doing so, consider whether the other information is materially inconsistent with the financial statements or with knowledge obtained during the audit, or if it otherwise appears to be materially misstated. If, based on the work I have performed, I conclude that there is a material misstatement of this other information, I am required to report that fact.

Reporting on other matters

My audit is conducted by reference to the special considerations which attach to State bodies in relation to their management and operation. I report if I identify material matters relating to the manner in which public business has been conducted.

I seek to obtain evidence about the regularity of financial transactions in the course of audit. I report if I identify any material instance where public money has not been applied for the purposes intended or where transactions did not conform to the authorities governing them.

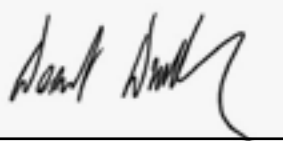
Statement of Income and Expenditure and Retained Revenue Reserves

For the Financial Year Ended 31 December 2022

	Notes	2022 €	2021 €
Income			
Fee Income - Claimant	2 (a)	1,004,398	1,172,675
Fee Income - Respondent	2 (a)	9,319,962	7,045,657
Exchequer Funding	2 (b)	2,021,004	0
Other Income	2 (c)	5,809	86,517
Total Income		12,351,173	8,304,849
Expenditure			
Salaries, Pensions and Related Expenses	3	6,319,524	6,214,354
Board Members' Fees	4	57,542	64,410
Outsourced Service Centre Costs	5	1,355,137	1,428,291
Claims Related Costs	5	6,707,954	5,942,892
Claims Related Costs Reimbursed	5	(6,703,942)	(5,797,353)
Accommodation & Building	5	410,249	358,982
Recruitment, Training & Other HR Costs	5	117,512	64,608
Information, Research & Communication	5	479,628	334,496
Audit & Professional & Consultancy Costs	5	239,223	216,649
Legal Fees	5	762,074	1,414,636
IT & Telecommunication Costs	5	892,654	690,375
General Administration	5	394,706	320,364
Depreciation	6	191,886	318,833
Total Expenditure		11,224,147	11,571,537
SURPLUS / (DEFICIT) FOR THE YEAR		1,127,026	(3,266,688)
Balance at 1 January		1,625,311	4,891,999
Transfer to Capital Reserve	15	(1,100,000)	0
BALANCE AT END OF YEAR		1,652,337	1,625,311


All income and expenditure for the year relates to continuing activities at the reporting date. The Statement of Cash Flows and notes 1 to 19 form part of these financial statements.

On Behalf of the Board



Dermot Divilly
Chairperson
28/9/2023

On Behalf of the Board



Rosalind Carroll
Chief Executive
28/9/2023

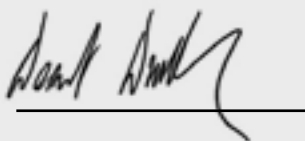
Statement of Comprehensive Income

For the Year Ended 31 December 2022

		2022	2021
	Notes	€	€
Surplus / (Deficit) for the year		1,127,026	(3,266,688)
Experience gains on retirement benefit obligations	14	(1,185,000)	(154,000)
Change in assumptions underlying the present value of retirement benefit obligations	14	17,970,000	(1,378,000)
Adjustment to Deferred retirement benefits funding		(16,785,000)	1,532,000
Comprehensive Income for the year		<u><u>1,127,026</u></u>	<u><u>(3,266,688)</u></u>

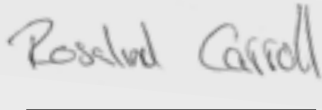
The Statement of Cash Flows and notes 1 to 19 form part of these financial statements.

On Behalf of the Board



Dermot Divilly
Chairperson
28/9/2023

On Behalf of the Board



Rosalind Carroll
Chief Executive
28/9/2023

Statement of Financial Position as at 31 December 2022

	Notes	2022 €	2022 €	2021 €	2021 €
Non Current Assets					
Fixed Assets	6		206,135		370,292
Current Assets					
Receivables	7 (a)	2,334,692		1,854,588	
Cash and Cash equivalents	7 (b)	9,193,598		8,208,823	
Total Current Assets		11,528,289		10,063,411	
Current Liabilities: amounts falling due within one year					
Payables	8	(5,582,406)		(4,609,002)	
Net Current Assets			5,945,882		5,454,408
Creditors: amounts falling due after one year					
Provisions	10		(1,115,002)		(1,555,002)
Retirement Benefits					
Retirement Benefit Obligations	14		(26,837,000)		(41,366,000)
Deferred Retirement Benefit Funding Asset	14		26,837,000		41,366,000
Total Net Assets			5,037,016		4,269,699
Financed By:					
Retained Revenue Reserves	15		1,652,336		1,625,311
Capital Reserve	15		3,384,679		2,644,388
Total Financed by:			5,037,016		4,269,699

The Statement of Cash Flows and notes 1 to 19 form part of these financial statements.

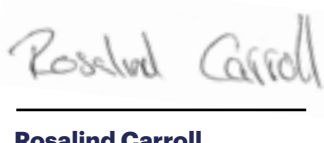
On Behalf of the Board



Dermot Divilly

Chairperson
28/9/2023

On Behalf of the Board



Rosalind Carroll

Chief Executive
28/9/2023

Statement of Cashflows for the Year Ended 31 December 2022

	Notes	2022 €	2021 €
Cash Flow from Operating Activities			
(Deficit) / Surplus for the Financial Year		1,127,026	(3,266,688)
Adjustments for:			
Depreciation		191,886	318,833
Interest received	2 (c)	0	41
(Increase) / Decrease in Receivables		(480,104)	8,838
Increase / (Decrease) in Payables		973,404	687,899
(Decrease) / Increase in Provision for Liabilities		(440,000)	1,245,000
Cash from Operating activities		<u>1,372,212</u>	<u>(1,006,076)</u>
Cash flows from investing Activities			
Purchase of Tangible Fixed Assets	6	(29,572)	(35,317)
Disposal of Fixed Assets	6	1,843	0
Transfer from Capital Reserve	15	(359,709)	(55,612)
Net Cash outflow from Investing Activities		<u>(387,438)</u>	<u>(90,929)</u>
Cash Flows from Financing Activities			
Interest Received	2 (c)	0	(41)
Rounding Difference		1	2
Net Cash (outflow) / inflow from Financing Activities		<u>0</u>	<u>(39)</u>
Net Increase / (Decrease) in Cash and Cash Equivalents		<u>984,775</u>	<u>(1,097,045)</u>
Cash and Cash Equivalents at 1 January		8,208,823	9,305,868
Cash and Cash Equivalents at 31 December		<u>9,193,598</u>	<u>8,208,823</u>

Notes to the Financial Statements for the Financial Year ended 31 December 2022

Note 1: Statement of Accounting Policies

The basis of accounting and significant accounting policies adopted by the Personal Injuries Assessment Board are set out below. They have all been applied consistently throughout the year and for the preceding year.

General Information

The Personal Injuries Assessment Board (PIAB) was set up under the Personal Injuries Assessment Board, Act 2003 as amended with a head office at Grain House, Exchange Hall, Belgard Square North, Tallaght, Dublin 24.

The PIAB's primary functions are set out in Part 3 of the Personal Injuries Assessment Board Act 2003 as amended.

To assess fairly and accurately the amount of compensation entitlement in personal injury claims within the remit of Personal Injuries Assessment Board in a timely manner.

PIAB is a Public Benefit Entity.

Statement of Compliance

The financial statements of Personal Injuries Assessment Board for the year ended 31 December 2022 have been prepared in accordance with the Financial Reporting Standard applicable in the United Kingdom and Ireland (FRS 102) issued by the Financial Reporting Council as promulgated by Chartered Accountants Ireland.

Basis of Preparation

The financial statements have been prepared under the accrual method of accounting, the historical cost convention, in accordance with generally accepted accounting practice and are in the format agreed with the Minister for Enterprise, Trade and Employment. The unit of currency in which the financial statements are denominated is the Euro.

Going Concern

The financial statements have been prepared on a going concern basis (see Note 17).

Income

Claimant fees:

Claimant fees are recognised on a cash receipts basis on receipt of an application to register a claim with the PIAB.

Respondent fees:

Respondent fees are recognised on consent to the PIAB process in the year when the income is earned and the service provided. In line with FRS102 section 23, rendering of services, Respondent fee income is recognised to the extent that it is probable that the economic benefits will flow to the PIAB and the revenue can be measured reliably. The following criteria is met before revenue is recognised:

Rendering of services:

Revenue from a contract to provide services is recognised in the period in which the services are provided in accordance with the stage of completion of the contract. Respondent fee income is recognised in the period in which the income is earned and the service provided, based on the stage of completion method for rendering of services.

Exchequer Funding

Exchequer Funding is recognised on an accruals basis;

Prepaid Costs

The PIAB incurs costs prior to receiving consent and at year-end makes an estimate of the proportion of those cases that will result in consent and treats these costs as prepayments.

Tangible Fixed Assets

Tangible Fixed Assets are stated at cost or valuation less accumulated depreciation. Depreciation is provided on a straight line basis at rates which are estimated to reduce the assets to their realisable values by the end of their expected useful lives as follows:

Leasehold Improvements	Remaining years of the lease	Straight Line
IT Hardware/Software	25.00%	Straight Line
Office Equipment	20.00%	Straight Line
Fixtures & Fittings	12.50%	Straight Line
Office Furniture	12.50%	Straight Line

Taxation

The PIAB is exempt from Income Tax and Corporation Tax under Section 220 of the Taxes Consolidation Act 1997. This exemption does not apply to deposit interest. Where interest receivable is subject to tax (e.g. DIRT) the net receivable amount is credited to the Statement of Income and Expenditure and Retained Revenue Reserves.

Operating Leases

Rental expenditure under operating leases is recognised in the Statement of Income and Expenditure and Retained Revenue Reserves over the life of the lease. Any lease incentives received are recognised over the life of the lease.

Receivables

Known bad debts are written off and specific provision is made for any amount the collection of which is considered doubtful.

Employee Benefits

Short Term Benefits

Short term benefits such as holiday pay are recognised as an expense in the year, and benefits that are accrued at year-end are included in the Payables figure in the Statement of Financial Position.

Critical Accounting Judgements and Estimates

The preparation of the financial statements requires management to make judgements, estimates and assumptions that affect the amounts reported for assets and liabilities as at the reporting date and the amounts reported for revenues and expenses during the year. However, the nature of estimation means that actual outcomes could differ from those estimates. The following judgements have had the most significant effect on amounts recognised in the financial statements.

Impairment of Tangible Fixed Assets

Assets that are subject to amortisation are reviewed for impairment whenever events or changes in circumstances indicate that the carrying amount may not be recoverable. An impairment loss is recognised for the amount by which the asset's carrying amount exceeds its recoverable amount. The recoverable amount is the higher of an asset's fair value less cost to sell and value in use.

Depreciation and Residual Values

The PIAB have reviewed the asset lives and associated residual values of all fixed asset classes, and in particular, the useful economic life and residual values of IT Hardware/Software, and have concluded that asset lives and residual values are appropriate.

Provisions

The PIAB makes provisions for third party legal and constructive obligations, which it knows to be outstanding at the period end date. These provisions are generally made based on current challenges or other pertinent information, adjusted for recent trends where relevant. However, they are estimates of the financial costs of events that may not occur for some years. As a result of this and the level of uncertainty attaching to the final outcomes, the actual out-turn may differ significantly from that estimated.

Retirement Benefit Obligation

The assumptions underlying the actuarial valuations for which the amounts recognised in the financial statements are determined (including discount rates, rates of increase in future compensation levels, mortality rates and healthcare cost trend rates) are updated annually based on current economic conditions, and for any relevant changes to the terms and conditions of the pension and post-retirement plans.

The assumptions can be affected by:

- i. the discount rate, changes in the rate of return on high-quality corporate bonds.
- ii. future compensation levels, future labour market conditions.
- iii. health care cost trend rates, the rate of medical cost inflation in the relevant regions.

Retirement Benefits

Nature of Schemes

The PIAB operates a defined benefit pension scheme for its employees. The scheme structure is based on the Public Service Model. The employee scheme was approved by the Minister of Enterprise, Trade and Employment and the Minister for Finance and Public Expenditure & Reform in 2008. The Spouses and Children's' Contributory Pension scheme was approved in 2009.

The PIAB also operates the Single Public Service Pension Scheme (Single Scheme), which is the defined benefit scheme for pensionable public servants appointed on or after 1 January 2013.

Scheme Characteristics

The schemes have a number of specific characteristics:

Model Scheme:

- The PIAB makes an agreed contribution to the Department of Enterprise, Trade and Employment.
- The contribution comprises of an employee element along with an employer element.
- The employer contribution in 2022 was 25% of gross pay, 30% for staff on PRSI Class B and D.
- There is a commitment from the Department of Enterprise, Trade and Employment with the agreement of the Department of Finance, that the Exchequer will meet the cost of benefits as they fall due.

In substance, The PIAB considers that the obligation to pay retirement benefit remains with Personal Injuries Assessment Board (The PIAB), but that the Exchequer has committed to providing The PIAB with sufficient funds to settle any such obligations on the PIAB behalf as they fall due, provided the PIAB pays over employees and the employer contributions at rates specified. Accordingly, the financial statements recognise both a Retirement Benefit Obligation and a Deferred Exchequer Retirement Benefit Funding receivable.

Single Public Service Pension scheme:

Single Public Service Pension scheme members' contributions are paid over to the Department of Public Expenditure and Reform (DPER). An employer contribution is also payable to DPER in accordance with DPER Circular 28/2016.

For the purposes of reporting in accordance with Financial Reporting Standard 102, an update of the actuarial review was completed as at 31st December 2022.

Scheme Liabilities

Model Scheme and Single Scheme liabilities represented by the present value of future payments earned by The PIAB Staff to date are measured on an actuarial basis using the projected unit method. Pension costs reflect benefits earned by the PIAB staff in the period and are shown net of employee pension contributions, which are retained by the Department. The amount to be included in the financial statements for the Deferred Exchequer Retirement Benefit Asset amount is estimated at an amount equal to the estimate of the obligation for the pension scheme liabilities.

Scheme Actuarial Gains or Losses

Actuarial gains or losses arising from changes in actuarial assumptions and from experience surpluses and deficits are recognised in the Statement of Comprehensive Income for the year in which they occur and a corresponding adjustment is recognised to the balance for Deferred Exchequer Retirement Benefit Asset.

Pension costs in the Statement of Income and Expenditure and Retained Revenue Reserves comprise the employer's contribution in respect of the year.

Capital Reserve

In accordance with the provisions of Section 74A(1) of the Personal Injuries Assessment Board Amendment Act 2019, the Minister of the Department of Enterprise, Trade and Employment authorised, with the consent of the Minister for Public Expenditure and Reform, the Personal Injuries Assessment Board (PIAB) to retain its current level of reserves for the purposes of expenditure by PIAB in the performance of its functions. In that regard PIAB established a capital reserve as set out in Note 15.

2(a) Fee Income	2022	2021
	€	€
Claimant Fee Income	1,004,398	1,172,675
Respondent Fee Income	9,865,197	7,814,708
Deferred Income in the current year	(3,665,770)	(3,120,535)
Deferred Income – Amount released to income in the year	3,120,535	2,351,484
	<u>10,324,360</u>	<u>8,218,332</u>

Claimant Fee Income

Claimant fees are recognised on a cash receipt basis on receipt of an application to register a claim with the PIAB. From 1st September 2019 the fee for a paper application increased from €45 to €90 per application as per S.I. No. 363/2019 – Personal Injuries Assessment Board (Fees) (Amendment) Regulations 2019. The fee for an application in electronic form is €45.

Respondent Fee Income

A respondent fee is applicable when a respondent (mostly insurers or self insured) consent to a claim being assessed by PIAB (as outlined in the PIAB Act). A respondent has 3 months from receipt of formal notice to consent to assessment, consent is defaulted thereafter unless a respondent instructs PIAB they do not want claim assessed. Respondent fee income is recognised on consent to the PIAB process in the year where the income is earned, service provided. The fee increased from €600 to €1,050 from 11th April 2022 as per S.I. No. 124/2022 – Personal Injuries Assessment Board (Fees) (Amendment) Regulations 2022.

Deferred Income

Respondent fees are paid on consent to the assessment process. Respondent fee income is released to the Statement of Income & Expenditure and Retained Revenue Reserves on delivery of the service as the claim progresses through PIAB process. Respondent fee income on work to be completed is treated as deferred income and reported as a current liability.

2(b) Exchequer Funding

Exchequer funding of €2,021,004 was provided to the PIAB from the Department of Enterprise, Trade and Employment (Subhead C9). This funding was to mitigate the effects of reducing volumes and the Covid-19 pandemic.

2(c) Other Income	2022	2021
	€	€
Miscellaneous income	5,809	86,558
Interest Receivable	0	(41)
	<u>5,809</u>	<u>86,517</u>

3 Salaries, Pensions & Related Expenses	2022	2021
	€	€
PIAB Staff Salaries	4,749,861	4,666,481
Employer Superannuation Contributions	1,104,193	1,095,156
Employer PRSI Contributions	465,470	452,717
	<u>6,319,524</u>	<u>6,214,354</u>

*€220,976 of Additional Superannuation Contribution (ASC) has been deducted and paid over to the Department of Enterprise, Trade and Employment in 2022, €211,126 was deducted and paid over in 2021.

	2022	2021
	€	€
Staff Numbers		
Average Staff directly employed by PIAB	<u>75</u>	<u>78</u>
Emoluments of Chief Executive	€	€
Rosalind Carroll	<u>161,616</u>	<u>147,534</u>
	<u>161,616</u>	<u>147,534</u>
Travel & Subsistence (T&S)	<u>671</u>	<u>90</u>

The Chief Executive Rosalind Carroll is a member of the Public Service Model Pension Scheme (see Note 14) and her pension entitlements are in accordance with the terms of the scheme.

The value of retirement benefits earned in the period is not included above.

Key Management Personnel

Key management personnel in the Personal Injuries Assessment Board consist of the Chief Executive and the Executive Management Team who are the Chief Operations Officer, Director of Business Support Services, Director of Corporate Services and Director of Finance. The total value of employee benefits for key management personnel is set out below:

	2022	2021
	€	€
The total aggregate salary & short term benefits	<u>593,867</u>	<u>617,355</u>

The pension entitlements of key management personnel are in accordance with the terms of the Public Service Model Pension Scheme (see Note 14). The value of retirement benefits earned in the period is not

included above.

Employee Short-Term Benefits Breakdown

Employees' short-term benefits in excess of €60,000 are categorised into the following bands:

<u>Salary Range</u> From – To (€)	Number of employees	
	2022	2021
60,000–69,999	8	4
70,000–79,999	1	4
80,000–89,999	12	12
90,000–99,999	8	6
100,000–109,999	0	1
110,000–119,999	4	3
120,000– 129,999	1	2
130,000–139,999	0	0
140,000–149,999	0	1
150,000 - 159,999	0	0
160,000 - 169,999	1	0
Total	<u>35</u>	<u>33</u>

Note: For the purposes of this disclosure, short-term employee benefits in relation to services rendered during the reporting period include salary, but exclude employer's PRSI.

<u>Employer Pension Contribution</u>	2022 €	2021 €
Model Scheme	998,410	1,007,458
Single Public Service Pension Scheme	105,783	87,697
	<u>1,104,193</u>	<u>1,095,156</u>

4 Board Fees and Expenses

	2022 €	2021 €
Board Fees	<u>57,542</u>	<u>64,410</u>
<u>By Board Member</u>		
Dermot Divilly – Chairperson	20,520	20,520
Nuala Jackson	11,970	11,970
Aengus Cummins	11,970	11,970
Karen Furlong	11,970	11,970
Conor Faughnan	1,112	0
Walter Cullen	0	3,990
Margot Slattery	0	3,990
	<u>57,542</u>	<u>64,410</u>

The following Board Members were paid no fees during 2022: Dr. Jean O'Sullivan, Colette Crowne, Cathal Lafferty, John Shine, Marion O'Brien, Jonathan Small and Rosalind Carroll due to the application of one person one salary principle. There were no Board related expenses paid during the year.

Expenditure

5 Outsourced Service Centre Costs	2022	2021
	€	€
Outsourced Service Centre Costs	1,355,137	1,428,291
	<u>1,355,137</u>	<u>1,428,291</u>

Claims related costs	2022	2021
	€	€
Claim related Medical Fees	6,573,952	5,742,371
Claim related Other Costs	175,678	128,777
Prepaid Claim Processing Costs in the current year	(138,315)	(96,640)
Prepaid Claim Processing Costs – released in the year	96,640	168,384
	<u>6,707,954</u>	<u>5,942,892</u>

As part of the PIAB's process it retains the services of a range of professional practitioners primarily medical practitioners. The costs of these services are reimbursed to PIAB by the Respondent.

The level of medical claim processing costs varies per claim. Due to the average timeline of the process there will be claim processing costs incurred in 2023 relating to consents received in 2022, these costs are not provided for in the financial statements.

Claim processing costs incurred include a portion of pre-consent costs which are prepaid into 2023. The prepayment is released when the respondent fee is received.

Claims Related Costs Reimbursed	2022	2021
	€	€
Claim related Costs Reimbursed/ to be reimbursed	(6,703,942)	(5,797,353)
	<u>(6,703,942)</u>	<u>(5,797,353)</u>

As part of the PIAB's process it retains the services of a range of professional practitioners primarily medical practitioners. The costs incurred in relation to these services are reimbursable to PIAB by the Respondent, see note 7(a).

Accommodation & Building Costs	2022	2021
	€	€
Rent, Rates and Service Charges	293,064	278,953
Cleaning & Security	44,568	41,428
Light & Heat, Maintenance and Other	72,616	38,601
	<u>410,249</u>	<u>358,982</u>

5 Expenditure (continued)

	2022	2021
<u>Recruitment, Training & Other HR Costs</u>	€	€
Training, Education and other costs	45,655	49,189
HR Pension	12,072	14,156
Advertising, Interviews and other recruitment costs	59,785	1,263
	<u>117,512</u>	<u>64,608</u>
<u>Information, Research & Communication Costs</u>	€	€
Public Awareness	284,149	235,112
PR and Communications	76,341	50,681
Reform Programme Costs	27,941	0
Research and Data Analysis	48,990	0
Publications	18,157	19,781
Advertising – Other	24,050	28,921
	<u>479,628</u>	<u>334,496</u>
<u>Audit & Professional & Consultancy Costs</u>	€	€
Professional Fees	116,882	83,720
Procurement Support	398	27,164
Internal Audit	35,301	32,023
External Audit	17,000	17,000
Finance Consultancy	3,196	4,405
	<u>172,777</u>	<u>164,312</u>
<u>Consultancy Costs</u>	€	€
IT Consultancy	57,789	5,720
HR Consultancy	8,657	28,782
Other Consultancy	0	17,835
	<u>66,446</u>	<u>52,337</u>
Total	<u>239,223</u>	<u>216,649</u>
<p>Consultancy costs include the cost of external advice to management and exclude outsourced 'business-as-usual' functions.</p>		
<u>Legal Fees</u>	€	€
Legal Costs and advices	1,202,074	169,636
Legal Provision (Note 11)	(440,000)	1,245,000
	<u>762,074</u>	<u>1,414,636</u>
<u>IT Costs & Telecommunications</u>	€	€
IT Support & Maintenance	295,861	233,911
IT Licence Fees	425,515	221,274
Hosting Costs	88,256	86,273
Telecom Costs	52,271	61,718
Managed Print Service	6,681	4,310
IT Security	12,915	56,249
IT Equipment – Staff Work Remotely	0	22,249
IT Other Costs	11,155	4,394
	<u>892,654</u>	<u>690,375</u>

5 Expenditure (continued)

	2022	2021
General Administration Costs	€	€
Postage	125,374	130,798
Insurances	58,396	49,693
Bank Interest & Charges	14,266	17,971
Claim Related Fee Bad Debts	27,451	37,137
Office Stationery	8,002	5,130
Prompt Payment Interest	5,887	22,908
Entertainment/Hospitality – Staff	7,840	6,105
Travel & Subsistence Staff – National	3,413	230
Travel & Subsistence Staff – International	613	0
Sundry Costs	5,478	1,538
Loss on Disposal of Fixed Assets	1,807	0
Respondent Fee Bad Debts	33,000	26,400
Provision for Doubtful Debts	103,180	22,453
	<u>394,706</u>	<u>320,364</u>

6 Fixed Assets

	Leasehold Improvements	IT Hardware / Software	Office Equipment	Office Furniture	Total
Cost / Valuation	€	€	€	€	€
As at 1 January	634,221	1,338,689	49,084	63,052	2,085,046
Additions	0	28,483	1,089	0	29,572
Disposals	0	(70,505)	0	0	(70,505)
As at 31 December	<u>634,221</u>	<u>1,296,667</u>	<u>50,173</u>	<u>63,052</u>	<u>2,044,113</u>
Accumulated Depreciation					
As at 1 January	443,955	1,188,902	45,056	36,841	1,714,754
Charge	95,133	86,020	3,099	7,635	191,886
Disposals	0	(68,662)	0	0	(68,662)
As at 31 December	<u>539,088</u>	<u>1,206,260</u>	<u>48,155</u>	<u>44,476</u>	<u>1,837,978</u>
Net Book Value					
As at 31 December 2022	<u>95,133</u>	<u>90,407</u>	<u>2,018</u>	<u>18,577</u>	<u>206,135</u>
As at 31 December 2021	<u>190,265</u>	<u>149,787</u>	<u>4,028</u>	<u>26,211</u>	<u>370,292</u>

7(a) Receivables	2022	2021
	€	€
<u>Amounts falling due within one year</u>		
Fees Receivable:		
Respondent Fees	1,335,300	852,600
Claim Related Fees	868,134	778,061
Provision for Doubtful Debts	(253,792)	(150,612)
Prepayments	382,255	326,807
Other Debtors	2,795	47,733
	<u>2,334,692</u>	<u>1,854,588</u>

7(b) Cash & Cash Equivalents	2022	2021
	€	€
Cash at bank and in hand	2,148,594	663,794
Short Term Deposits	7,045,004	7,545,029
	<u>9,193,598</u>	<u>8,208,823</u>

8 Payables	2022	2021
	€	€
<u>Amounts falling due within one year</u>		
Payables	239,848	191,924
Accruals	1,051,414	736,053
Taxes & Social Welfare	264,480	210,377
Pension Liability *	122,191	118,857
Other Creditors	119,592	111,651
Solicitors Portal – Payments on Account	119,111	119,605
Deferred Income (Note 9)	3,665,770	3,120,535
	<u>5,582,406</u>	<u>4,609,002</u>

* Employer and Employee Pension and ASC contributions

9 Deferred Income	2022	2021
	€	€
Opening Balance	3,120,535	2,351,484
Deferred Income provided in the year (Note 2)	3,665,770	3,120,535
Amount released to income in the year	(3,120,535)	(2,351,484)
Closing Balance	<u>3,665,770</u>	<u>3,120,535</u>

Respondent fees are paid on consent to the assessment process. Respondent fee income is released to the Statement of Income & Expenditure and Retained Revenue Reserves on delivery of the service as the claim progresses through PIAB's process. Respondent fee income on work to be completed is treated as deferred income and reported as a current liability.

10 Provisions

	2022	2021
	€	€
Opening Balance	1,555,002	310,002
Additional Provision (Note 5)	232,500	1,840,000
Utilised In Year	0	0
Decrease in Provision (Note 5)	(672,500)	(595,000)
Closing Balance	<u>1,115,002</u>	<u>1,555,002</u>

Provisions represent a prudent estimate of liabilities that may arise to third parties in respect of legal actions notified to PIAB prior to year-end. PIAB is involved in various legal challenges under sections of the Personal Injuries Assessment Board Act 2003 (as amended) and in relation to the Personal Injuries Guidelines which were effective from the 24th of April 2021. Following on from this date a number of Judicial Reviews relating to the Personal Injuries Guidelines were received.

The provisions above are based upon an assessment of the potential costs of defending known actions/claims, to the extent that such costs can be reliably estimated. The provisions are reviewed on a monthly basis and as more information becomes available, following which any increase or decrease in the provision required is processed. PIAB is satisfied that it has made a prudent estimate of the appropriate provision in the financial statements.

11 Contingent Liability

Legal Actions

As stated in Note 10 PIAB is, from time to time, party to various legal actions. PIAB makes full provision for expected third party legal costs associated with cases notified to it (Note 10). It is probable that a number of additional cases will be notified to PIAB in the future in relation to decisions made prior to 31 December 2022. It is not possible to estimate the potential financial effect of such claims.

12 Financial Commitments

Operating leases

The PIAB occupies two floors at Grain House, Exchange Hall, Belgard Square North, Tallaght, Dublin 24. The premises are leased by the Office of Public Works (OPW) and the lease costs of €188,554 per annum are under a twenty year lease term which commenced April 2004.

At 31 December 2022 PIAB had the following future lease payments under non-cancellable operating leases for each of the following periods:

	2022	2021
	€	€
Payable within one year	188,554	188,554
Payable within two to five years	47,138	235,692
Payable after five years	0	0
	<u>235,692</u>	<u>424,246</u>

Operating lease payments recognised as an expense were €188,554 (2021: €188,554) The current lease expires in 2024. We will be seeking to renew our lease or seek alternative accommodation.

13 Capital Commitments

	2022	2021
	€	€
Contracted for (Contract Signed)	2,624,954	156,600
	<u>2,624,954</u>	<u>156,600</u>

Following a competitive procurement process, PIAB have entered contracts with a number of suppliers for the provision of a Claims Management System and related services.

14 Accounting Treatment for Retirement Benefits

The PIAB operates a defined benefit pension scheme for its employees. The scheme structure is based on the Public Service Model. The employee scheme was approved by the Minister of Enterprise, Trade and Employment and the Minister for Finance and Public Expenditure & Reform in 2008. The Spouses' and Children's' Contributory Pension Scheme was approved in 2009.

Under the Public Service Pensions (Single Scheme and other provisions) Act 2012, new entrants to the public service on or after 1 January 2013 become members of the Single Public Service Pension Scheme ("Single Scheme").

The model scheme has a number of specific characteristics (see note 1 Statement of Accounting Policies) Actuarial Valuation

Actuarial Valuation

The PIAB commissioned an actuarial valuation of accrued liabilities at the reporting date, and the cost of benefits (service cost) accrued during the year. This valuation, which was based on the Projected Unit method, is premised on the following assumptions:

Assumed Annual Rate	2022	2021
Discount rate	4.20%	1.70%
Inflation assumption (Consumer Price Index)	2.60%	2.20%
Salary increases	3.85%	3.45%
State pension increases	3.10%	2.70%
Pensions in payment increases – Model Scheme	3.35%	2.95%
Pensions in payment increases – Single Scheme	2.60%	2.20%

In addition, the following demographic assumptions have been made as at 31 December 2022.

Life expectancy at age 65

Male currently aged 45	25.4 years	25.3 years
Male currently aged 65	23.0 years	22.9 years
Female currently aged 45	26.3 years	26.2 years
Female currently aged 65	24.4 years	24.3 years

Based on the above, the present value of liabilities at the reporting date is €26,837,000 [2021: €41,366,000], and the service cost (calculated on the foregoing assumptions) for the year is €2,062,000 [2021: €1,956,000].

14 Accounting Treatment for Retirement Benefits (note continued)

Analysis of total pension costs charged to expenditure

	2022	2021
	€	€
Total employer contribution	1,104,193	1,095,156
Current service cost	2,062,000	1,956,000
Interest cost	699,000	431,000
Past service cost	0	0
Adjustment to Deferred Exchequer Pension Funding	(2,761,000)	(2,387,000)
Total charged to Statement of Income and Expenditure and Retained Revenue Reserves	1,104,193	1,095,156

* The Current Service Cost includes employee contributions totalling €232,287 in 2022 and €262,238 in 2021.

Movement in net pension liability

	2022	2021
	€	€
Net Pension Liability at 1 January	41,366,000	37,741,000
Current Service Cost	2,062,000	1,956,000
Interest Cost	699,000	431,000
Past service cost	0	0
Experience losses / (gains) on scheme liabilities	1,185,000	154,000
Change in assumptions	(17,970,000)	1,378,000
Benefits paid during the year	(505,000)	(294,000)
Net Pension Liability at 31 December	<u>26,837,000</u>	<u>41,366,000</u>

History of scheme liabilities and experience (gains) / losses

	2022	2021
	€	€
Change in assumptions underlying the present value of the pension scheme liabilities	(17,970,000)	1,378,000
% of liabilities at year end	67.0%	(3.3%)
Experience (gains) / losses on scheme liabilities	1,185,000	154,000
% of liabilities at year end	(4.4%)	(0.4%)
Scheme liability	26,837,000	41,366,000

15 Reserves

	Retained Revenue Reserves	Capital Reserve	Total
Opening Balance	1,625,312	2,644,388	4,269,699
Surplus for the year	1,127,026	0	1,127,026
Transfer to Capital Reserve	(1,100,000)	1,100,000	0
Transfer of Capital Reserve *	0	(359,709)	(359,709)
Closing Balance	<u>1,652,337</u>	<u>3,384,679</u>	<u>5,037,016</u>

Transfer of Capital Reserve

Programme Manager	187,083
Business Analyst	108,021
Legal Support	37,519
Procurement Support	25,905
Other Costs	1,181
	<u>359,709</u>

16 Related Party Disclosures

Please refer to Note 3 for a breakdown of the remuneration and benefits paid to key management. In accordance with the Revised 2016 Code of Practice for the Governance of State Bodies, the Board has in place Codes of Business Conduct for Board Members and employees. These codes include guidance in relation to the disclosure of interests by Board members and these procedures have been adhered to by the Board during the year covered by these financial statements.

17 Going Concern

PIAB reported a surplus of €1,127,026 in 2022 resulting in cumulative operating reserves of €2,752,337 prior to a transfer of €1,100,000 to capital reserves. Following transfer to capital reserves, operational reserves at year-end are €1,652,337 with capital reserves of €3,384,679. The Capital reserve is to fund PIAB's Digital transformation project (replacement of claims management systems and associated services, see note 13).

PIAB received approximately 18,400 new claim applications in 2022. This number has decreased over the past few years reducing income. PIAB received funding of €2,021,004 from the Department of Enterprise Trade and Employment during 2022. A respondent fee increase from €600 to €1,050 was agreed and implemented during the year effective from 11th April 2022.

PIAB's management are of the view that its current operating reserves, cash balances, projected surplus in 2023 will support PIAB in continuing as a going concern over the twelve month period from September 2023 to August 2024.

18 Comparative figures

Certain prior year amounts have been reclassified for consistency with the current year presentation. These reclassifications had no effect on the reported results.

19 Approval of Financial Statements

The Financial Statements were approved by the Board on 28th September 2023.





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