



The Personal Injuries Assessment Board  
Annual Report & Accounts 2010







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In July 2008, as part of a new brand identity project, the working name of the Board was changed from the Personal Injuries Assessment Board or PIAB to InjuriesBoard.ie. As a consequence, throughout this Report the organisation is referred to as InjuriesBoard.ie

# CONTENTS

Chairperson's Foreword	4
Chief Executive's Introduction	6
Overview	10
<b>Section 1:</b>	
Assessing compensation entitlements in a fair, accurate and timely manner	12
<b>Section 2:</b>	
Reducing administration costs associated with assessing personal injury claims	18
<b>Section 3:</b>	
Delivering superior customer service from an efficient and effective organisation peopled with motivated and skilled staff	22
<b>Section 4:</b>	
Increasing awareness of InjuriesBoard.ie and contributing positively to the claims resolution environment	28
<b>Section 5:</b>	
Financial Statements	32
<b>Appendices:</b>	
Appendix 1 – InjuriesBoard.ie Process	50
Appendix 2 – Organisation Chart & Board Members and Structure	53
Appendix 3 – Geographical Analysis of Claims	55

## CHAIRPERSON'S FOREWORD

IT IS NOTEWORTHY THAT A RECENT, POST YEAR-END AWARD OF €829,997 WAS PROCESSED BY THE INJURIES BOARD FOR FEES TOTALLING €5,875 (INCLUSIVE OF THE BOARD'S ADMINISTRATIVE FEES OF €1,100). THE COMPARABLE PROCESSING COST UNDER THE PRIOR LITIGATION MODEL WOULD HAVE BEEN IN THE REGION OF €400,000. THIS ENORMOUS COST PREMIUM WOULD HAVE ARISEN EVEN IN CIRCUMSTANCES WHERE, AS IN THIS CASE, THE FACTS OF THE CLAIM WERE ACCEPTED BY BOTH SIDES. THIS SIMPLE EXAMPLE ILLUSTRATES WHY THE INJURIES BOARD'S NON ADVERSARIAL MODEL WAS AMONGST THE MOST INNOVATIVE CROSS-PARTY, PUBLIC / PRIVATE REFORM MEASURES EVER IMPLEMENTED IN THIS COUNTRY.

Cumulative awards totalling €900m since 2006 have delivered cumulative savings exceeding €400m, or €80million per annum. These savings are most likely understated to a significant extent. In this report the Injuries Board overhead costs of 8% of compensation awards are compared to a 46% litigation overhead figure as ascertained by the Motor Insurance Advisory Board prior to the establishment of the Injuries Board, at a time when all personal injury cases had to proceed through litigation. However it is understood that the levels of legal costs sought by plaintiffs have actually substantially increased for the approximate one third of cases that now proceed through litigation. While publication of updated details is awaited the impact would be to increase the level of savings achieved by the Board.

Consumers and businesses have benefitted in the form of reduced insurance premiums, faster turnaround times and a highly transparent and accountable process that makes awards at the same levels as the Courts. Motor premiums, for example were 29% lower at year end 2010 than the comparable period in 2003 – the last full year when personal injuries were assessed through litigation rather than the non adversarial model established under the Personal Injuries Assessment Board Act 2003.

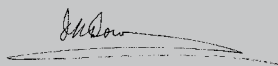
Given all of the vested interests associated with personal injuries, it is almost inconceivable that the current non adversarial model would ever have come about but for the prevailing insurance cost crisis at the turn of the millennium. To the extent that crisis heralds opportunity, now would seem an opportune time to assess whether the non adversarial model has wider application, so as to deliver tangible cost and service benefits for the future. Progress in this area will require some vision and imagination by policy makers and public and private sector stakeholders. My assessment is that effort invested in this regard will be handsomely rewarded.

For our part, as a Board and as an Executive we will continue to assess how we can support the competitiveness and sustainability agenda, whilst protecting the interest of claimants and respondents. Our pursuit of efficiencies in areas such as procurement, IT and medical costs enabled the Board to secure a 20% reduction in respondent fees and a 10% reduction in claimant fees that was applied from 1 February 2011.

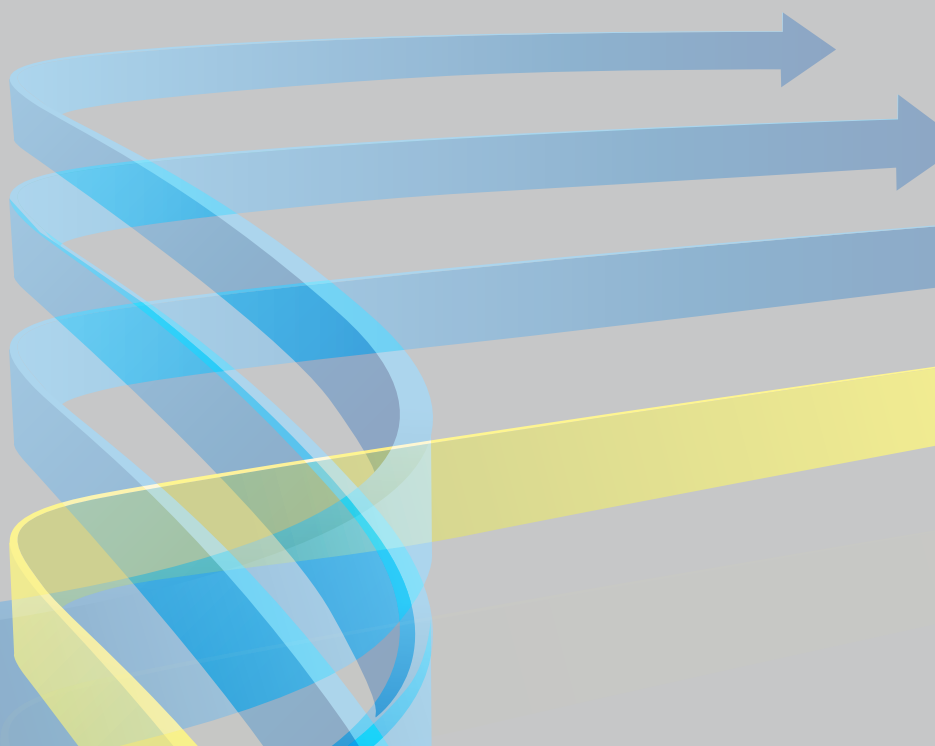
This was also facilitated by our largest ever surplus of €9.66 million, recorded in 2010, which resulted, in part, from operational efficiencies, but significantly too, from the successful outcome of 21 judicial review challenges that resulted in significantly lower provision being required in our accounts. We also successfully challenged a legal costs bill of over €2m sought by the plaintiff in O'Brien (& Law Society) v PIAB which the High Court reduced by 80% on taxation.

Much credit is due to our Board for their resolve and determination in defending the non adversarial model from ongoing legal challenges, not least in respect of the excessive fee claims by those still adjusting to the realities of the non adversarial model.

Finally my thanks to successive Ministers and policy makers across all parties who have been so supportive of the Board's endeavours. In particular I want to thank the outgoing Minister for Enterprise, Trade and Innovation, Batt O'Keeffe TD and the officials in his department for their assistance during 2010. I look forward to working positively with the Minister for Jobs, Enterprise and Innovation, Richard Bruton TD, and to supporting his efforts to promote a sustainable and innovative economy.



Dorothea Dowling  
Chairperson



## CHIEF EXECUTIVE'S INTRODUCTION

THE INJURIES BOARD WAS BORN OF NECESSITY TO A SOCIETY AND AN ECONOMY THAT HAD HAD ITS FILL OF INSURANCE HIKES, EXAGGERATED CLAIMS AND COSTLY AND LENGTHY LITIGATION. SIMPLY PUT, THE CLAIMS ENVIRONMENT WAS DAMAGING COMPETITIVENESS AND EMPLOYMENT PROSPECTS, ADDING TO THE FRUSTRATION AND STRESS OF CLAIMANTS AND RESULTING IN SEVERE BOTTLENECKS IN OUR COURTS.

Arguably, for today's hard pressed consumers and businesses the need to eliminate or mitigate unnecessary costs is more critical than ever. In this context, two questions arise. Has the Injuries Board delivered on its mandate and, given the ever more pressing demands on consumers and businesses, can more be done to enhance efficiencies and reduce unnecessary cost pressures on the economy?

The simple answer to both questions is an unequivocal yes. Why? Because in circumstances where the underlying facts are generally not disputed – as is the case in the vast majority of personal injury claims – then an adversarial, litigation based model, is neither appropriate, efficient nor cost effective.

This conclusion is supported by our direct experience at the coal face handling over 25,000 applications each year. That experience has shown us that claims, taken as a whole, are not nearly as unique, unpredictable or complex as some would have us believe (characteristics which are unlikely to be unique to personal injury). Consequently claims can and are being resolved faster, at considerably lower cost than litigation, whilst still ensuring award levels at the same level as the Courts. These assertions are borne out by the

Board's experience which shows that:

- The volume, profile and nature of claims are largely predictable typically running at about 25,000 cases per annum.
- The Board's practice of early intervention, where the facts and circumstances of a case become known to both sides at the outset of a claim, has resulted in the early settlement of claims and cumulative savings of over €200m since 2006.
- Claims processed through the Board result in awards at the same level as the Courts but are assessed in seven months rather than the 3 year litigation process.
- Claims processing costs through the Injuries Board, at 8%, are a fraction of comparable litigation costs which are acknowledged as running at 46%. The significantly reduced processing costs has resulted in direct savings of €200m since 2006.
- The split and profile of Motor, Workplace and Public Liability Awards has also followed a consistent pattern, with Motor accounting for circa three in every four claims, with the remaining claims relatively evenly split between Workplace and Public Liability.
- The Board's non adversarial model has been fully self financing through the application of a modest fee that is generally paid by the respondent (typically an insurance company).



### **Locking in gains:**

Whereas these are all very laudable and worthwhile achievements, in these straitened times it is reasonable to ask how can we ensure that the benefits arising are locked in for the State, but also for our citizens. The following are some examples of our initiatives in this regard:

#### ***Processing costs:***

Pre the establishment of the Injuries Board litigation costs added 46% to the cost of claims. By contrast the Injuries Board's processing cost of just 8% is a substantial 83% lower, whilst still delivering the same awards as the Courts.

#### ***Fee reductions to mitigate insurance costs:***

Since year-end the Board has sought and been granted permission to voluntarily reduce its fees to respondents by €200 (19%) and to claimants by €5 (10%). This €205 cost reduction per claim is the Board's direct response to the new economic environment.

#### ***Changed claims environment:***

The past two years have seen a €30 million reduction in the value of awards as a result of a change in the composition of claims due to reduced numbers at work and a consequent 10% reduction in the volume of higher value, employer liability claims.

It is notable that despite much speculation to the contrary, we have seen no evidence of the mooted surge in public liability claims following the severe weather conditions. In fact our data indicates that there were fewer public liability claims in January 2010 than in January 2009.

### ***Mitigating a claims culture:***

Many stakeholders, including vested interests, have anticipated an increase in claims volumes due to the current downturn in our economy and the history of claims inflation worldwide during such recessionary times. I am pleased to report that we in Ireland are "bucking the trend"; the Insurance reform programme put a number of important measures in place which are serving us well. These include:

1. Changes to the Civil Liability and Courts Act 2004 which impose up to 10 years in jail and /or a fine of up to €100,000 if a fraudulent claim is identified.
2. Restricted timelines to complete investigations and drive early determination of liability under the PIAB Act 2003.

The above measures together with a regrettable lower number at work, less heavy duty employment in construction, lower numbers driving to and from work, lower wages across both the public and private sectors have all worked for some good and some regrettable reasons to contain both claim numbers and claims costs.

#### ***Mitigating legal costs:***

It is an unavoidable and inevitable consequence that the cumulative savings of €400m delivered by Injuries Board over the past five years has impacted the earnings of intermediaries, mainly the legal profession who played a more central role in the prior litigation process. In this context it would be naïve to assume that such intermediaries might not seek to challenge the *modus operandi* of the Board – as is their right - whilst at the same time seeking to reposition their service offering as still critical to the claims process. Consequently - and mindful of escalating legal fees over recent years - the Board is committed both to mitigating legal costs and to increasing awareness of the advantages to claimants of submitting their claims directly to the Board.

## CHIEF EXECUTIVE'S INTRODUCTION

2010 was a significant year for the Board in this regard. It brought to a conclusion the O'Brien case, with the Taxing Master – at the behest of the Board – dramatically reducing the legal costs sought against it from €2.1 million to €400,000. In a second more modest case – but one that is indicative of what can be billed on the higher volume, mid ranging cases – a bill of €55,000 was reduced on taxation to €18,000. Notwithstanding these reductions, the Board remains aghast that such excessive fees were submitted in the first instance.

Of even more concern over recent years was the direct challenge to the Board to admit legal fees on a number of personal injury cases. No less than 21 individual Judicial Reviews were mounted by one legal firm seeking the Court to direct the Board to pay legal fees on each case. All cases were dismissed in 2010.

The clarification provided by the conclusion of these cases highlights the benefits for claimants of applying directly to the Board. By doing so, claimants can save significant legal fees, often in the region of €2,000, but sometimes as high as €5,000. Consequently the Board is now actively progressing a range of initiatives to enhance consumer awareness and accessibility.

### Operational Overview 2010:

Year end data for InjuriesBoard.ie shows that compensation totalling €187 million was awarded in 2010 in respect of 8,380 personal injury claimants. The numbers show a €30m (13.8%) reduction in the value of Awards since 2008 despite claims volumes increasing to 26,964 (9%) over the same period. This trend reflects a change in the composition of claims and in particular a 10% reduction in the volume of higher value, employer liability claims in 2010 as a result of lower employment levels.

Consistent with prior years, three quarters of awards (74%) in 2010 were for injuries from road traffic accidents while the remainder were split between workplace (11%) and public place (15%) accidents. The lowest and highest awards in 2010 were €500 and €387,286 respectively and almost two thirds of all awards (63%) made by the Board are for less than €20,000.

Throughout 2010 the Board continued to play what I believe is an important role in driving Ireland's national recovery by delivering solutions and awards in a faster timeline than our precursor, litigation, at a significantly lower cost and at the same time driving insurance premiums downwards. At a minimum, the Board's formal awards process delivers a statutory award within 9 months. In 2010 our delivery timeframe averaged just seven months.

Injuries Board data yields some very important and reliable statistical information for Workplace and Motor accident prevention programmes. Our statistics, which are consistent over 7 years offer a reliable insight into the common causes of accidents and the impact on our citizens. As a Board we are committed to sharing this information with other public service areas so as to optimise the financial and non financial benefits accruing from accident prevention programmes. The Board's Service Centre, which is accessible to Claimants and Respondents (those responding to claims) between 8am and 8pm Monday to Friday, continues to drive clarity between the key parties, namely the injured party and the offending party (or on occasion the defending party). Medical reports and other claims particulars are transparently copied by the Board, promoting early engagement between those who are central to the process, thereby avoiding unnecessary adversarial litigation.

Encouragingly, the combined impact of early resolution and formal Board awards meant that the majority of claims in 2010 were resolved in a timely and consensual manner. The balance is accounted for by claims released by the Board for a variety of reasons, including medical negligence, which at this point in time lies outside the legislative remit of the Board - though their inclusion has been mooted in selected pre-election party manifestos.

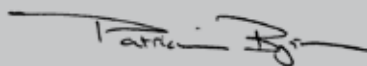
Other cases released by the Board include: claims complicated by prior interrelated injuries as well as cases which exhibit longer rehabilitation timelines which cannot be medically reported upon within our statutory timelines. It is however important to acknowledge that the legislative timelines are more than adequate to cater for the majority of the injury cases presented to the Board.

#### **Conclusion:**

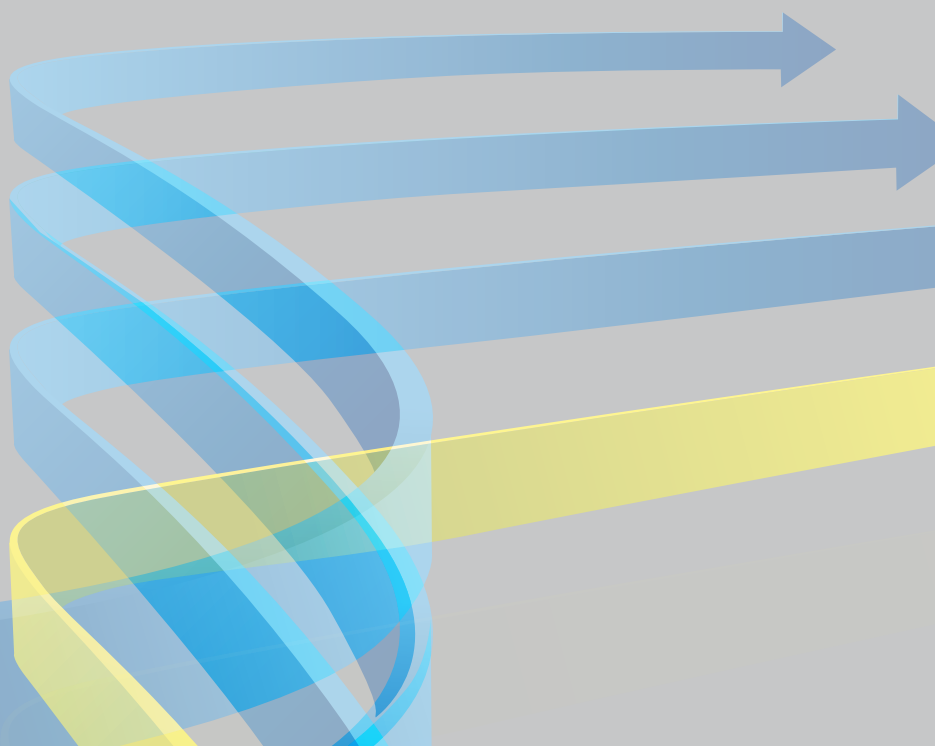
By any of its key performance indicators, the Injuries Board has delivered and in most cases exceeded the targets set for it back in 2004. As we demonstrate in this Report the Board strives to continuously enhance what we do and to lock in the benefits arising for consumers, society and the economy. At a time when there has been much discussion about innovative means of achieving more with less, the wider application of the non adversarial model would seem to have much to recommend it. To the extent that the Injuries Board or its staff can help inform or support any initiatives in this regard we shall not be found wanting.

#### **Acknowledgements:**

In the interim, I am, as ever, indebted to my colleagues on the Board and to our executive team and staff who have maintained a quality service despite the challenges imposed by the recruitment moratorium and ongoing challenges to the model from vested interests. I commend them for the pride they take in their work, their sense of purpose and their commitment to finding solutions and resolutions acting in the service of the public interest.



Patricia Byron  
Chief Executive



## OVERVIEW

### MISSION STATEMENT

THE MISSION STATEMENT OF INJURIESBOARD.IE IS "TO BE THE INDEPENDENT FACILITATOR IN THE DELIVERY OF COMPENSATION ENTITLEMENTS IN A FAIR, PROMPT AND TRANSPARENT MANNER FOR THE BENEFIT OF SOCIETY".

IN DELIVERING ON OUR MISSION AND MANDATE INJURIESBOARD.IE:

- MANAGED JUST UNDER 27,000 PERSONAL INJURY CLAIMS AND MADE 8,380 FORMAL AWARDS;
- ACHIEVED AN AVERAGE CLAIMS PROCESSING TIMEFRAME OF 6.9 MONTHS – WITHIN THE STATUTORY 9 MONTH TIMELINE;
- AWARDED TOTAL COMPENSATION FOR ACCIDENT VICTIMS OF €186 MILLION AT AN ADMINISTRATION COST OF UNDER 9% OF THE ACTUAL COMPENSATION AMOUNT, A SIGNIFICANT REDUCTION ON THE 46% ADMINISTRATION COST PRIOR TO THE ESTABLISHMENT OF THE BOARD.

## CORE STRATEGIC OBJECTIVES

THE SIX CORE STRATEGIC OBJECTIVES OF INJURIESBOARD.IE AS SET OUT IN OUR FIRST STRATEGIC PLAN 2006 – 2010 ARE:

### OBJECTIVE 1

**TO ASSESS FAIRLY AND ACCURATELY THE AMOUNT OF COMPENSATION ENTITLEMENT IN PERSONAL INJURY CLAIMS WITHIN THE REMIT OF INJURIESBOARD.IE IN A TIMELY MANNER.**

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### OBJECTIVE 2

**TO REDUCE ADMINISTRATION COSTS ASSOCIATED WITH THE ASSESSMENT OF PERSONAL INJURY CLAIMS WITHIN THE REMIT OF INJURIESBOARD.IE.**

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### OBJECTIVE 3

**TO PROMOTE A CULTURE OF INNOVATION AND EXCELLENCE, FOSTERING AN EFFICIENT, FLEXIBLE AND COST-EFFECTIVE ORGANISATION WITH MOTIVATED AND SKILLED STAFF.**

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### OBJECTIVE 4

**TO DEVELOP SUPERIOR CUSTOMER SERVICE BY CREATING A TRANSPARENT AND ACCESSIBLE CLAIMS ASSESSMENT PROCESS.**

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### OBJECTIVE 5

**TO INCREASE AWARENESS OF INJURIESBOARD.IE AND ITS BENEFITS.**

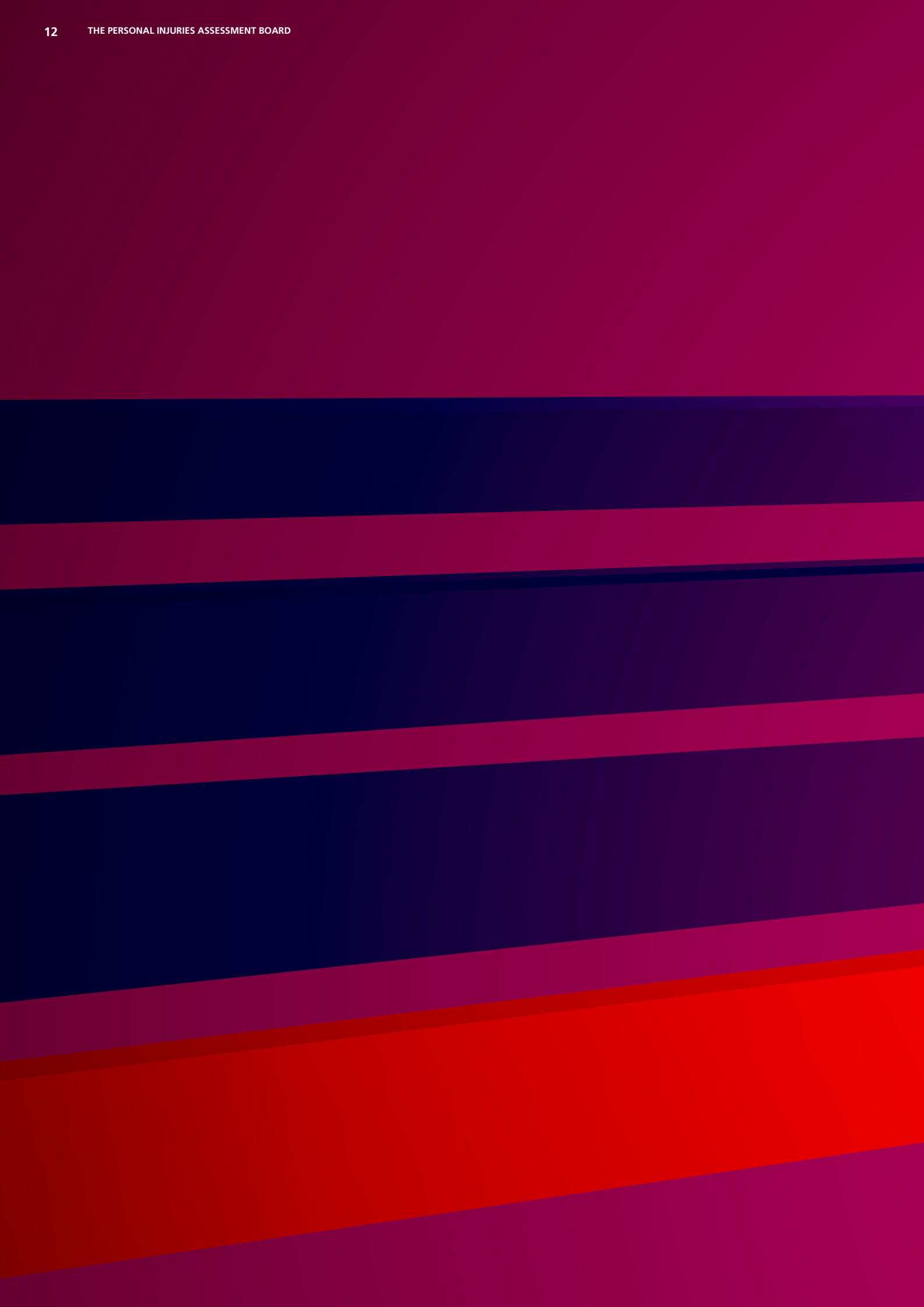
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### OBJECTIVE 6

**TO CONTRIBUTE POSITIVELY TO THE CHANGING PERSONAL INJURY CLAIMS RESOLUTION ENVIRONMENT IN IRELAND.**

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DURING 2010, INJURIESBOARD.IE CONTINUED TO WORK TOWARDS THE ATTAINMENT OF THESE OBJECTIVES. SECTIONS 1 TO 4 OF THIS REPORT SET OUT IN DETAIL THE INITIATIVES AND ACTIONS TAKEN DURING THE YEAR.





## SECTION 1

ASSESSING  
COMPENSATION  
ENTITLEMENTS IN  
A FAIR, ACCURATE  
AND TIMELY  
MANNER

## SECTION 1

# ASSESSING COMPENSATION ENTITLEMENTS IN A FAIR, ACCURATE AND TIMELY MANNER

### Awards

In 2010, the Board made 8,380 awards to the value of €186.63 million.

An Award is the value of compensation payable to an individual in respect of a Personal Injury claim where liability is not disputed. It includes General Damages for pain and suffering caused by the injury both to date and into the future. An Award may also include Special Damages for financial loss both to date and into the future e.g. loss of wages, cost of medical care etc. Awards data in this report relates to the total value of an Award and does not differentiate between General and Special Damages.

Damages are assessed using The Book of Quantum, a guide to compensation levels in Ireland (available at [www.injuriesboard.ie](http://www.injuriesboard.ie)) to which the Judiciary are obliged to refer to by law (The Civil Liability & Courts Act 2004). This ensures that where some cases are released by the Board to the Courts, the same level of awards can be assured for similar injuries whilst other matters, such as liability disputes, are addressed in Court. As anticipated this arises in approximately one-third of personal injury cases. The Board's administration process has succeeded in removing two-thirds of all other Motor, Workplace and Public Liability cases from unnecessary litigation and the costs associated with same.

### Awards Volumes and Values

Set up in 2004, the Board made its first Awards in 2005. Table 1.1 sets out the number and value of Awards made each year since 2006.

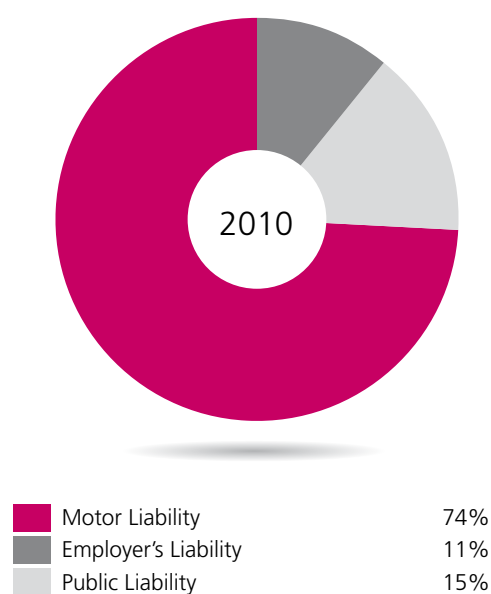
Table 1.1 Awards Volumes and Values by year

	No. of Awards	Value of Awards
2006	5,573	€115.28m
2007	8,208	€181.04m
2008	8,845	€217.16m
2009	8,643	€200.22m
2010	8,380	€186.63m
Total	39,649	€900.33m

### Awards by Claim category

In 2010, 74% of all awards were in respect of Motor Liability cases, while 11% related to Employer Liability and 15% related to Public Liability.

Figure 1.1 % Breakdown of 2010 Awards by Category





### Value of Awards by Category

Figure 1.2 shows the average value of awards by each of the categories in 2010 i.e. Motor Liability, Employer's Liability and Public Liability. The average award of €22,271 in 2010 was 4% lower than in 2009. The Board's caseload can vary year to year reflecting changes in the economic environment and the flow of new claims. This in turn causes variations in the average award from year to year. In 2010 a reduction in the actual volume of higher value Employer Liability claims impacted the overall average award, predominantly driven by the reduced workforce in heavy duty construction.

During 2010, and in line with earlier years, awards in the Employer's Liability category were highest at €28,176 reflecting the often more serious and complex nature of the injuries sustained in such accidents. The figures below reflect the 8,380 awards made of which 6,205 were Motor Liability cases, 1,286 were Public Liability cases, and 889 were Employer Liability cases. Section 4 of this report provides more detailed information in relation to research carried out on specific categories of claims.

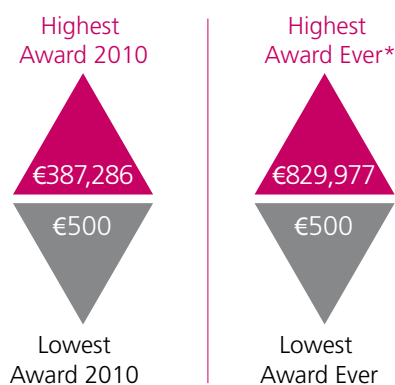
**Figure 1.2 Value of Average Awards by Category 2010**

Motor Liability		€20,989
Employer's Liability		€28,176
Public Liability		€24,374
Overall Average		€22,271

### Range of Awards – Highest/lowest awards

The lowest and highest awards are shown in Figure 1.3.

**Figure 1.3 Range of Awards**



\*Note: This Award was made in 2011

### Breakdown of Total no. of Awards in 2010 by value and Claim Category

Approximately 63% of InjuriesBoard.ie Awards are under €20,000 and 90% are under €38,000. The profile of personal injury claims has remained relatively consistent since the Board became operational. Injuries sustained were and continue to be predominantly soft tissue or fractures, or a combination of both with associated compensation award levels of approximately 90% of such cases below €38,000 and two thirds below €20,000.

The predictability this data offers to those involved in risk management, rehabilitation, medical treatment, etc. should not be under valued. In addition identifying accident trends allows insurers to predict in a very precise manner the ultimate cost of the relevant claims, once the frequency factor is actuarially applied.

A detailed geographical analysis of awards can be found in Appendix 3.

## SECTION 1

# ASSESSING COMPENSATION ENTITLEMENTS IN A FAIR, ACCURATE AND TIMELY MANNER

Table 1.2 Breakdown of Total No. of Awards in 2010 (by Value and Claim Category)

Average Value Category (€'s)	Motor Liability	Employer's Liability	Public Liability	Total
<20k	4,204	388	690	5,282
20-38k	1,488	343	406	2,237
38-100k	461	141	178	780
>100k	52	17	12	81
	6,205	889	1,286	8,380

Higher value personal injury claims continue to be the exception rather than the rule in both pre-Board and Board statistics. It is the high volume of low to medium value claims which drives the underlying compensation claims bill and ultimately impacts on the cost of insurance premiums. Thus driving faster timelines and lower administration costs continued to be a key priority for the Board in 2010, and since its inception, to keep this cost base at the lowest possible line.

### Average Award by Province/Category 2010

Table 1.3 shows the breakdown of the average award by category on a province wide basis. Across the provinces Employer Liability awards are typically of higher value due to the nature of the injuries sustained in workplace accidents. Individual variations within provinces reflect the particular nature of the accidents involved.

Table 1.3

DUBLIN	2010 AVERAGE AWARD
Motor Liability	€20,037
Employer's Liability	€24,012
Public Liability	€23,917

REST OF LEINSTER	2010 AVERAGE AWARD
Motor Liability	€22,322
Employer's Liability	€30,879
Public Liability	€23,239

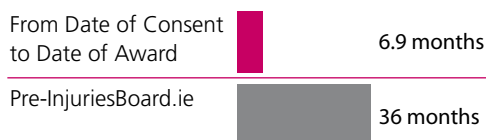
CONNAUGHT-ULSTER	2010 AVERAGE AWARD
Motor Liability	€22,830
Employer's Liability	€32,783
Public Liability	€27,722

MUNSTER	2010 AVERAGE AWARD
Motor Liability	€19,928
Employer's Liability	€29,201
Public Liability	€24,089

## Assessment Timeline

InjuriesBoard.ie is obliged, under the PIAB Act 2003, to assess claims within 9 months of the Respondent consenting to the Board's process. The 2010 results for InjuriesBoard.ie show that the average time to make an assessment was less than 7 months as a result of the Board's continuing commitment to efficiency and ongoing process review.

Figure 1.4 Compensation Timeline



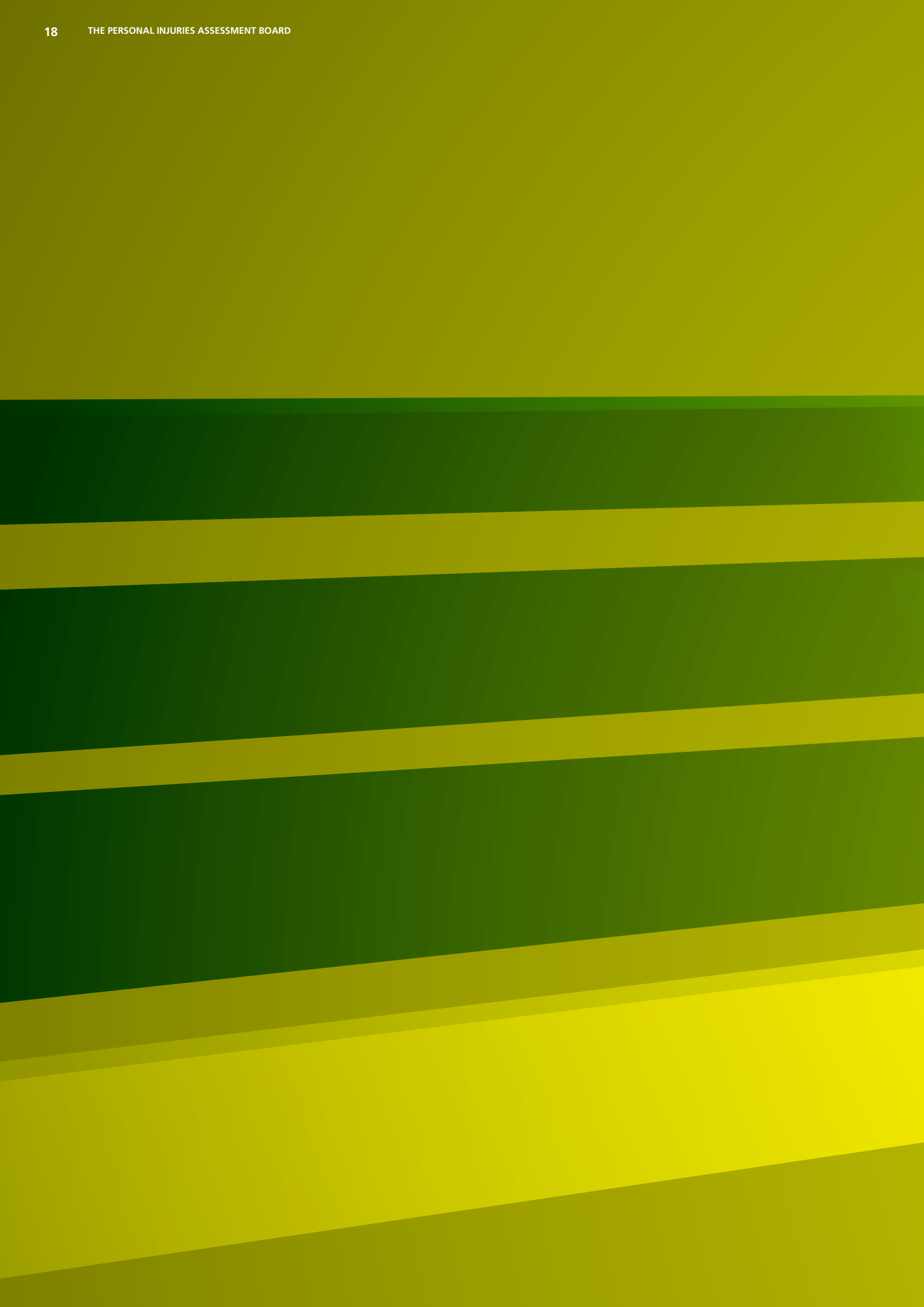
## Applications

In accordance with the Personal Injuries Assessment Board Act 2003, all personal injury claims (apart from Medical Negligence and some categories of claims as outlined in Section 4 of the Act) must be submitted to InjuriesBoard.ie. A total of 26,964 Applications for personal injury claims were received by InjuriesBoard.ie in 2010 (a 4% increase on 2009). These Applications related to personal injury claims for Motor Liability, Public Liability and Employer's Liability. Workplace accident claims were significantly down by 9%, while Motor claims and Public Liability claims rose by approximately 6% and 8%, respectively.

The establishment of InjuriesBoard.ie, the speed with which claims are dealt with and the consistency of awards made have resulted in a significant change to the way in which personal injury claims are now resolved.

Prior to the establishment of the Board, between 30,000 and 35,000 personal injury proceedings were initiated in the Courts each year. The number of cases involving such litigation has reduced to approximately 14,000 per annum. This is remarkably in line with what was anticipated at the outset i.e. two thirds of personal injuries cases would be removed from unnecessary litigation. Typically, the latter cases arise where InjuriesBoard.ie has no authority to under our Act (i.e. Medical Negligence cases excluded) and does not deal with the claims (e.g. where liability is disputed).

A significant majority of personal injury claims are now resolved either through a formal award by the Board or through early settlement between the parties, facilitated by the Board. Although complete data is not yet available from insurers trends indicate to the Board that for every formal award made another case is settled. While it is mandatory for all cases to be submitted to the Board many do not need to go to the full awards process. By connecting Claimants with the Respondents at an early stage, encouraging open and transparent dialogue and by copying the claims papers to both sides many cases are resolved by way of an agreed settlement between the parties. Dispute cases are released by the Board as it may be more appropriate for these cases to proceed to litigation. The remaining claims proceed through the full awards process. The above filtering and "triage" ensures that cases are not unnecessarily tied up in a process when a resolution is available through early dialogue/intervention and of course a non-adversarial system.





## SECTION 2

REDUCING  
ADMINISTRATION  
COSTS ASSOCIATED  
WITH ASSESSING  
PERSONAL INJURY  
CLAIMS

## SECTION 2

# REDUCING ADMINISTRATION COSTS ASSOCIATED WITH ASSESSING PERSONAL INJURY CLAIMS

### Self-Funding Agency

Apart from receiving payments from the Exchequer for initial set up costs, the Board has been self funding for all of its full flow operating existence. As in 2009, this status was maintained yet again in 2010. The Board's income is derived from fee income it charges – primarily on respondents (or their insurers) with a modest application fee levied on claimants.

In 2010, the Board recorded its largest ever surplus of €9.66m. This was a combination of both ongoing operational efficiencies and the successful outcome of 21 judicial review challenges which resulted in a significantly lower provision required in the Accounts. The achievement of operational efficiencies meant that by the end of the year the Board was in a position to seek from the Minister a reduction in the fees charged to respondents and claimants back to 2004 levels. Minister Mary Hanafin authorised the reduction in the respondent fee from €1,050 to €850 (20%) and the claimant fee from €50 to €45 (10%) with effect from 1st February 2011. These fee reductions will decrease the overall costs incurred predominantly by insurers and should assert further downward pressure on premiums.

There was a continued focus in 2010 on securing value for money in the supplies and services procured by the Board. Competitive tendering and draw-downs from central government contracts were used in order to facilitate savings. In particular, significant savings were made on telecommunications and IT costs in 2010.

Continuing the Government's policy of reducing professional fees, the Board obtained in 2010 savings of €347,000 in the cost of procuring independent medical reports.

Focussed attention and improved internal procedures in relation to outstanding debtors in 2010 resulted in a reduction in required Debtors provision of €120,317.

### Cost savings as a Result of Awards by InjuriesBoard.ie

In 2010, InjuriesBoard.ie delivered the current level of compensation at a delivery cost of 8.8% as against 46% under the litigation system prior to the Board's establishment. InjuriesBoard.ie's delivery costs are not based on a percentage of the amount of the award but are predominantly fixed fees for claimants (€50) and respondents (€1,050). As reported in last year's Annual Report, data available from compensation schemes outside the remit of the Board suggest that the associated litigation costs remain a matter of considerable concern. It appears that many personal injury cases, processed outside of the Board's non-adversarial system, attract litigation costs significantly in excess of the 46% average as identified by 2004 report of the Motor Insurance Advisory Board.

In 2010, 5,038 awards were accepted by customers of InjuriesBoard.ie resulting in €108.24 million of compensation being accepted. The relevant figures for 2007, 2008 and 2009 are outlined in Table 2.1 below. The volume of accepted awards is reasonably consistent over the past 4 years. The value of compensation is affected by the mix of claims i.e. whether Motor, Public Liability, or Employer Liability, as well as the severity of cases within each of these categories.

While the Board made 8,380 awards in 2010, for the purposes of calculating direct savings we only count awards which are accepted by claimants and respondents. This is therefore a most conservative calculation of the impact of the Board as we do not count the cases we facilitate at the early stage of our process and cases which also exit during /directly after our process, when a resolution is reached

between the parties.

Indisputably significant additional savings arise in relation to these cases which we facilitate and which did not settle prior to our existence, litigation being the only route to closure. We estimate that up to 8,000 cases are resolved between parties following initial contact with the Board's Service Centre which facilitates improved communication between the claimant and respondent. Comprehensive data on the level of such settlements, despite endeavours over the years, remains unavailable in the required format from the insurance industry but the Central Bank have indicated they intend to explore this issue further.

Table 2.2 below shows the actual InjuriesBoard.ie delivery costs of €9.52m and compares it to the estimated overhead cost of delivering the same award value under the litigation system (46%) i.e. €49.79m. The resulting savings are shown in the bottom row. Direct InjuriesBoard.ie savings in 2010 were €40.27m. This, however, is only a fraction of the overall savings which cannot be accurately calculated until data is received from the insurance industry in the required format to calculate the savings on the claims resolved through the Board's early intervention /Service Centre.

#### Legal Costs (Section 44)

The High Court handed down judgment in the cases of Plewa v PIAB and Giniewicz v PIAB on 19th October 2010 regarding the issue of costs that could be awarded to the Claimant under Section 44 of the PIAB Act 2003. The High Court dismissed the two cases which led to the withdrawal of a further 19 cases on similar issues. The decision is important as it upheld in every respect the manner in which the Board was exercising its discretion in relation to costs under Section 44 on a case by case basis.

#### Taxation of Costs

2010 saw the conclusion of the O'Brien v PIAB case with the much publicised taxation of the Applicant's Costs by High Court Taxing Master Charles Moran. The bill presented by the Applicant's solicitors was reduced on taxation by some 82%. Similarly in the case of Lancaster v PIAB the Applicant's costs were significantly reduced by Taxing Master James Flynn from €55,000 to €18,000, a reduction of 67%. These cases demonstrate the huge difference between what solicitors are willing to charge and/or claim in the hope of recovering and the figures that are considered reasonable in law as adjudicated on by both Taxing Masters.

Table 2.1 Total Number and Value of InjuriesBoard.ie Accepted Award

	2007	2008	2009	2010
No. of Accepted Awards	5,000	5,670	5,387	5,038
Total Value of Accepted Awards	€102m	€131.34m	€118.2m	€108.24m

Table 2.2 InjuriesBoard.ie Delivery Costs and Estimated Cost Saving

	2007	2008	2009	2010
Total InjuriesBoard.ie Delivery Costs	€7.4m	€10.19m	€10.3m	€9.52m
Comparable Litigation Costs	€47.15m	€60.41m	€54.4m	€49.79m
Actual Savings (InjuriesBoard.ie Vs. Litigation System)	€39.75m	€50.22m	€44.1m	€40.27m







## SECTION 3

DELIVERING  
SUPERIOR  
CUSTOMER SERVICE  
FROM AN EFFICIENT  
AND EFFECTIVE  
ORGANISATION  
PEOPLED WITH  
MOTIVATED AND  
SKILLED STAFF

## SECTION 3

# DELIVERING SUPERIOR CUSTOMER SERVICE FROM AN EFFICIENT AND EFFECTIVE ORGANISATION PEOPLED WITH MOTIVATED AND SKILLED STAFF

### Customer Service

In 2010, InjuriesBoard.ie continued to provide a transparent and accessible claims assessment process. The Board's customer service centre provides:

- Detailed information and assistance to potential claimants and respondents in progressing their claim, and;
- Detailed guidance and assistance to claimants on the information they need to complete their application;
- The customer service centre is accessible on lo-call number 1890 829 121 from 8 am to 8 pm Monday to Friday.

In 2010, the centre received over 55,000 calls, 97% of which were answered within 20 seconds following a very short automated introduction/greeting. Over 400,000 items of post were handled and over 15,000 medical appointments were arranged. The Customer Service Centre assists claimants with special needs (e.g. those hard of hearing) and those wishing to process their claim through Irish. The Centre can also assist those with limited knowledge of the English language, including the commissioning of translation of key documents. Feedback from customers who contacted the InjuriesBoard.ie helpline is very positive with high satisfaction levels reported.

A summary of this feedback is outlined below:

- **100%** of these claimants stated that their calls were handled in a courteous, helpful and friendly manner
- **96%** felt their questions were answered to their satisfaction
- **68%** of direct claimants surveyed were very satisfied with the information service

### ICT

Information and Communications Technology is a key enabler in achieving the Board's core objectives. The Board's technical platform and key applications support the current business needs.

During 2010, the Board completed a review of IT with several projects being identified during this review. A key project is the replacement of the current infrastructure which has served the Board efficiently for five years but now requires upgrading. The replacement program will see the consolidating and replacement of the existing servers with a smaller number using a combination of virtualisation and server replacement. Work on the scope of this project commenced late 2010 with a delivery date of mid 2011 anticipated.

The Board's requirements in relation to its claims management system are also being reviewed. Interim necessary upgrades are planned for 2011 however, the medium term strategic vision is for a web enabled system. This would interface more readily with our stakeholders (Claimant/Respondent/Medical/Legal Community) and has the potential to deliver significant service and value propositions. During 2011 the Board will review its current system in detail to determine the required enhancements with a view to implementing agreed proposals during 2012.

During the latter part of 2010, a project commenced to enable all claim related payments to be made by Electronic Funds Transfer. This will be fully rolled out in 2011 providing additional efficiencies in this high volume area. The Board pay approximately 18,000 claim related invoices annually. Also during 2010 further progress was made in extending the use of electronic correspondence to various stakeholders.

### Facilities - Premises

The Board currently occupy premises in Tallaght which are leased through the OPW. There is a break clause in 2014. In advance of this, the Board will review their requirements in relation to facilities, i.e. fit for purpose, value for money etc. This review will be carried out in 2011.

### Facilities - Energy Audit:

In the National Energy Efficiency Action Plan 2009 (NEEAP) the Government committed to improve its energy efficiency by 33% by 2020. "The Public Sector will improve its energy efficiency by 33% and will be seen to lead by example showing all sections what is possible through strong committed actions".

The Board is committed to this Government target and in 2010 completed an Energy Audit with the assistance of Sustainable Energy Ireland. This audit identified a number of areas for consideration during 2011 which are outlined below along with the actions undertaken in 2010.

### Actions Undertaken in 2010

In 2010, InjuriesBoard.ie undertook a range of initiatives to improve our energy performance, including:

- The Board took part in the Public Sector Programme run by Sustainable Energy Ireland from which an Energy Report was produced and mentoring support offered.
- The National Procurement Service located in the Office of Public Works ran a tender in 2010 for energy providers, which the Board sought inclusion in. On foot of the tender, the Board has changed its electricity supplier in an attempt to reduce costs.

It will not be possible to quantify the impact of these measures in terms of energy saving until 2011.

### Actions Planned for 2011

In 2011 and beyond, InjuriesBoard.ie intends to further improve its energy performance by undertaking the following initiatives:

- Lighting: Upgrade fluorescent tube lamps to electronic ballasts and whenever possible, replace lighting with T5 fluorescent lamps.
- Lighting: Ambient light sensing in the open plans.
- Office Equipment: Reduce the number of servers as part of an infrastructure review.
- Energy Management: Employee awareness.

## Human Resources

A motivated and skilled workforce is a key requisite to delivering on our Mission. At the end of 2010 the Board employed 74 staff drawn from a range of professional and appropriately experienced backgrounds. The impact of the Government's moratorium on the recruitment/replacement of staff was unclear at year end. In line with other agencies the Board is now subject to an Employment Control Framework which outlines the maximum numbers of staff.

The Board's Partnership Committee met regularly throughout the year. The Board's Joint Consultative Committee met on a quarterly basis to discuss industrial relations matters.

### Corporate Social Responsibility

During the year, employees of the Board organised a number of fundraising activities for a variety of charities including the Irish Cancer Society, Alzheimer Society of Ireland and others.

## SECTION 3

# DELIVERING SUPERIOR CUSTOMER SERVICE FROM AN EFFICIENT AND EFFECTIVE ORGANISATION PEOPLED WITH MOTIVATED AND SKILLED STAFF

### Process Review

In 2010 InjuriesBoard.ie engaged in an organisation-wide "Process Review" of internal processes and systems to maximise efficiency and productivity. This is part and parcel of the Board's culture and efficiency ethos and similar to prior years where the Board consistently reviews/re-engineers to deliver on lower processing cost and timelines.

The objective was (1) to review the existing process, and (2) to make recommendations for the restructuring of the process to maximize efficiency and productivity.

As part of this project, employees were required to attend a workshop consisting of groups of approximately 20 staff members from all departments/grades/levels. The workshops/discussion forums were facilitated by project group members. Staff from both the Assessment Centre and the Service Centre were invited to attend one of six facilitated workshops. The structure of each workshop looked at the Board's existing process in three stages, based on the statutory timeframes.

### Internal Audit

The internal audit function is a key element in informing the Board of the effectiveness of the system of internal financial control. The internal auditors operate in accordance with the Code of Practice for the Governance of State Bodies. Internal Auditor reports covering Communications, Operational Process, Outsourced Service Centre Contract, Tendering & Procurement and Budgetary Control, Payroll and Travel & Subsistence were prepared in 2010 and brought before the Audit Committee

### Corporate Governance

InjuriesBoard.ie operates in accordance with the provisions of the Personal Injuries Assessment Board Act 2003. The Board operates under the aegis of the Minister for Jobs, Enterprise and Innovation who is empowered to provide funds to the agency to enable it to discharge its obligations and seek information on the agency's activities.

In addition to its own governing legislation, the Board is also required to comply with a range of other statutory (National and EU) and administrative requirements. In particular, it has put in place procedures to ensure compliance with the following specific requirements:

#### Code of Practice for the Governance of State Bodies

InjuriesBoard.ie has developed and implemented procedures to ensure that it complies with this code of practice. Annually the Board's Chairperson formally confirms to the Minister for Jobs, Enterprise and Innovation the Board's compliance with the above mentioned Code. During 2009 a revised Code of Practice was published. During 2010 the Board progressed the implementation of the final additional requirements as set out in the revised code.

#### Risk Management

During the year the Board put in place new procedures for dealing with Risk Management including the development of a new Risk Management Framework which is fully integrated with the Board's Quality Assurance Programme.

### **Ethics in Public office Act, 1995**

InjuriesBoard.ie 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. Nil statements are no longer required where there are no interests to declare. Furthermore procedures are in place for the ongoing disclosure of interests by Board Members and staff at Management level.

### **Safety, Health and Welfare at Work Act 2005**

In accordance with the Safety, Health and Welfare Act 2005, the Board has implemented procedures to comply with the provisions of the Act and has adopted a safety statement that encompasses all of the aspects of staff welfare.

### **Employment Equality Acts, 1998 and 2004**

InjuriesBoard.ie is committed to a policy of equal opportunity and adopts a positive approach to equality in the organisation. The Board is committed to developing a balanced work/life environment for all staff. It currently operates flexible working hours between 7.30 am and 7.00pm with requirements in relation to the minimum and maximum number of hours to be worked.

### **Data Protection Acts, 1988 and 2003**

InjuriesBoard.ie is a registered data controller under the Data Protection Acts. The Board operates in accordance with a formal Data Protection Policy as agreed with the Office of the Data Protection Commissioner. This places the Board at the forefront of implementing data protection procedures, thus protecting the individual's fundamental right to privacy and exercising control over how personal information may be made available under the Data Protection Acts.

### **Official Languages Act 2003**

InjuriesBoard.ie 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.

### **Procurement**

Competitive tendering is the normal procedure utilised by the Board in the procurement process. Tenders issued have had due regard to the value thresholds for the application of procurement rules. InjuriesBoard.ie confirms compliance with procurement procedures in respect of competitive tendering. This includes adherence to both national guidelines and the relevant EU Directives, which have the force of law in this and all Member States. The Board continually updates and revises its procurement policies and procedures.

### **Prompt Payment of Accounts Act, 1997**

InjuriesBoard.ie acknowledge their responsibility for ensuring compliance, in all material respects with the provisions of the Prompt Payment of Accounts Act, 1997, and the European Communities (Late Payment in Commercial Transactions) Regulations 2002. It is the policy of the Board 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**

InjuriesBoard.ie confirms compliance with tax laws. Procedures are in place to ensure that the Board 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.





## SECTION 4

INCREASING  
AWARENESS OF  
INJURIESBOARD.IE  
AND CONTRIBUTING  
POSITIVELY TO  
THE CLAIMS  
RESOLUTION  
ENVIRONMENT

## SECTION 4

# INCREASING AWARENESS OF INJURIESBOARD.IE AND CONTRIBUTING POSITIVELY TO THE CLAIMS RESOLUTION ENVIRONMENT

### Publishing research

In fulfilling its remit to deliver compensation payments, InjuriesBoard.ie gathers substantial data on injuries and the circumstances which cause accidents in a wide variety of settings. Access to this data gives an important insight into the types of injuries people sustain and the kinds of accidents they are involved in. This information can be particularly useful to those involved in risk management and accident prevention including other state agencies such as the Health & Safety Authority and the Road Safety Authority.

In 2010, the Board published a comprehensive review of injuries which arose from accidents in public places. This review provides significant insight into the causes of accidents and the sectors or locations which pose the greatest risk and it is hoped will be especially valuable to health and safety professionals in their risk assessments and enable scarce resources to be focused in the most critical areas.

These reviews were extensively covered in national and local media. Among the key findings were:

### Public liability Review

Females accounted for 72% of the 1443 PL awards during the period of this Review – over twice as many (2.5 times) as males. This is a direct reversal of data for workplace accidents where females account for just over a quarter (26%) of awards.

Just over half (51%) of the accidents under review took place in privately owned establishments, with one in four (25%) occurring in a retail/shopping outlet, one in five (19%) in a hotel/pub/nightclub or restaurant and 7% in leisure facilities like sports clubs/gyms and cinemas. Almost a quarter of PL awards (24%) were made against Local Authorities and a further 8% involved transport and utility services.

This is the second comprehensive review of accidents occurring in public places published by the Board and the findings for 2009 are consistent with the trends identified in 2007 and 2008.

**Causes:** Slips, trips and falls account for two thirds (65%) of personal injuries in a public place. Other causes included being struck by a falling or flying object (9%), being injured by machinery (4%), burns/scalding (3%) and food poisoning (1%).

**Injury type:** A review of the types of injuries sustained indicates that many accident victims sustain at least two injuries. Sprains (42%) are the most common injury, followed by fractures (33%), bruising (32%) and lacerations (20%).



### Stakeholder Engagement Programme

In 2010 InjuriesBoard.ie began the process of devising its second Five-Year Strategic Plan (2011 – 2015).

As part of that process the Board's Senior Executives met with a cross-section of stakeholders to seek their input on a variety of topics including:

- the key objectives, outputs and related strategies, including the use of resources of the Board
- the need to ensure the most beneficial, effective and efficient use of the resources of the Board

The following organisations were engaged with:

Health and Safety Authority, Construction Industry Federation, Irish Insurance Federation, The Self Insured Task Force, The Law Society, The Bar Council, The State Claims Agency, The Small Firms Association, The Courts Service, Irish Brokers Association, The Consumers Association and IBEC.

### Support / Sponsorship Programme

In September 2010 InjuriesBoard.ie was proud to sponsor the Temple Street Children's Hospital Support Your County Ball fundraising initiative. This was InjuriesBoard.ie's first sponsorship venture of its kind and the Ball raised in excess of €50,000 for Temple Street Children's Hospital. All proceeds from this event were used to purchase an Anaesthetic Machine for the hospital.

As an Agency which works every day with victims of accidents, including children, the Board recognises the great work undertaken on a daily basis by the dedicated team at Temple Street, not just for sick and injured children, but in supporting parents at a very difficult time. In 2010, the Board made 615 awards to children throughout Ireland. Our work converges at the front line in rehabilitating children and their families and we are unified in our endeavours to bring them back to pre-accident health and quality of life.





## SECTION 5

FINANCIAL  
STATEMENTS FOR  
THE YEAR ENDED  
31 DECEMBER 2010

## SECTION 5

### FINANCIAL STATEMENTS

### FOR THE YEAR ENDED 31 DECEMBER 2010

Contents	Page
General Information	35
Statement of Responsibilities of the Personal Injuries Assessment Board	36
Statement on Internal Financial Control	37
Report of the Comptroller and Auditor General	38
Statement of Accounting Policies	39
Income and Expenditure Account	40
Balance Sheet	41
Cash Flow Statement	42
Notes to the Financial Statements	43

## General Information

### Members of the Board

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Dorothea Dowling - Chairperson

Senator Joe O'Toole

Patricia Byron

John Fay

Tom Noonan

Jerry Fitzpatrick

Ann Fitzgerald

Mary O' Dea

(Retired January 2010)

Matthew Elderfield

(Appointed February 2010 & Retired June 2010)

Bernard Sheridan

(Appointed June 2010 & Retired October 2010)

Tanya Holly

Frank Cunneen

Professor Denis Cusack

### Office

---

Grain House

Exchange Hall

Belgard Square North

Tallaght

Dublin 24

### Auditor

---

Comptroller and Auditor General

Dublin Castle

Dublin 2

### Bankers

---

Bank of Ireland

Main Street

Tallaght

Dublin 24.

### Solicitors

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Arthur Cox & Co.

Earlsfort Centre

Earlsfort Terrace

Dublin 2.

### Website

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[www.injuriesboard.ie](http://www.injuriesboard.ie)

## SECTION 5

# FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 DECEMBER 2010

### Statement of Responsibilities of the Board

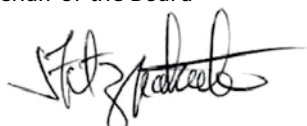
Section 77 of the Personal Injuries Assessment Board Act 2003, requires the Board to prepare annual financial statements in the format and manner specified by the Minister for Enterprise, Trade and Innovation.

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

- Select suitable accounting policies and then apply them consistently.
- Make judgements and estimates that are reasonable and prudent.
- Prepare the financial statements on the 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 being disclosed and explained in the financial statements.

The Board is responsible for keeping proper books of account 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.


*On behalf of the Board*



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Jerry Fitzpatrick  
19th April 2011

*On behalf of the Board*



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Joe O' Toole  
19th April 2011

## Statement on Internal Financial Control

On behalf of the Personal Injuries Assessment Board I acknowledge our responsibility for ensuring that an effective system of internal financial control is maintained and operated.

Such a system of internal financial control can provide only reasonable and not absolute assurance against material error. The system provides reasonable 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 period.

### Key Control Procedures

The Board has taken steps to ensure an appropriate control environment by:

- clearly defining management responsibilities;
- establishing formal procedures for reporting significant control failures and ensuring appropriate corrective action takes place;
- establishing an Audit Committee to advise the Board on discharging its' responsibilities for the internal financial control system.

The Board continues to develop and improve management processes to identify and evaluate business risks by:

- identifying the nature, extent and possible implication of risks facing the Board including the extent and categories which it regards as acceptable;
- assessing the likelihood of identified risks occurring;
- assessing the Board's ability to manage and mitigate the risks that do occur;
- assessing the costs of operating particular controls relative to benefit obtained.

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

- a comprehensive budgeting system with an annual budget which is reviewed and agreed by the Board via its Finance Committee;
- monthly income and expenditure statements with analysis of major income and expenditure categories, which are reviewed by the Board's Finance Committee;
- the implementation of a financial accounting system - the Board has put in place a computer software system incorporating an accounting package to facilitate the internal financial controls.


The Board has appointed an Audit Committee and a firm of independent professional auditors to undertake its internal audit function. The internal audit function operates in accordance with the Code of Practice for the Governance of State Bodies. The work of internal audit is informed by an analysis of the risk to which the Board is exposed. The Audit Committee review the annual financial statements. A Finance Committee has been established to review performance against budgets and to take an overview of financial procedures generally. The analysis of risk and the internal audit plans are approved by the Chief Executive and are subject to endorsement by the Audit Committee and approval by the Board.

### Annual Review of Controls

I confirm that in respect of the year ended 31st December 2010, the Board conducted a review of the system of internal financial control.

### Code of Practice for the Governance of State Bodies

The Board has sought a waiver to the requirement in the Code of Practice to have a Corporate Procurement Plan. This matter is currently under consideration by the Department. Otherwise I confirm that in respect of the year ended 31st December 2010 the Board has complied with the Code of Practice for the Governance of State Bodies.



**Dorothea Dowling**  
Chairperson

## SECTION 5

# FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 DECEMBER 2010

### Report of the Comptroller and Auditor General



**Comptroller and Auditor General**

**Report for presentation to the Houses of the Oireachtas**

#### Personal Injuries Assessment Board

I have audited the financial statements of the Personal Injuries Assessment Board for the year ended 31 December 2010 under the Personal Injuries Assessment Board Act 2003. The financial statements, which have been prepared under the accounting policies set out therein, comprise the Statement of Accounting Policies, the Income and Expenditure Account, the Balance Sheet, the Cash Flow Statement and the related notes. The financial reporting framework that has been applied in their preparation is applicable law and Generally Accepted Accounting Practice in Ireland.

#### Responsibilities of the Board

The Board is responsible for the preparation of the financial statements, for ensuring that they give a true and fair view of the state of the Board's affairs and of its income and expenditure, and for ensuring the regularity of transactions.

#### Responsibilities of the Comptroller and Auditor General

My responsibility is to audit the financial statements and report on them in accordance with applicable law.

My audit is conducted by reference to the special considerations which attach to State bodies in relation to their management and operation.

My audit is carried out in accordance with the International Standards on Auditing (UK and Ireland) and in compliance with the Auditing Practices Board's Ethical Standards for Auditors.

#### Scope of Audit of the Financial Statements

An audit involves obtaining evidence about the amounts and disclosures in the financial statements, sufficient to give reasonable assurance that the financial statements are free from material misstatement, whether caused by fraud or error. This includes an assessment of

- whether the accounting policies are appropriate to the Board's circumstances, and have been consistently applied and adequately disclosed
- the reasonableness of significant accounting estimates made in the preparation of the financial statements, and
- the overall presentation of the financial statements.

I also seek to obtain evidence about the regularity of financial transactions in the course of audit.

In addition, I read all the financial and non-financial information in the annual report to identify material inconsistencies with the audited financial statements. If I become aware of any apparent material misstatements or inconsistencies I consider the implications for my report.

#### Opinion on the Financial Statements

In my opinion, the financial statements, which have been properly prepared in accordance with Generally Accepted Accounting Practice in Ireland, give a true and fair view of the state of the Board's affairs at 31 December 2010 and of its income and expenditure for the year then ended.

In my opinion, proper books of account have been kept by Board. The financial statements are in agreement with the books of account.

#### Matters on which I Report by Exception

I report by exception if

- I have not received all the information and explanations I required for my audit, or
- my audit noted any material instance where moneys have not been applied for the purposes intended or where the transactions did not conform to the authorities governing them, or
- the information given in the Board's Annual Report for the year for which the financial statements are prepared is not consistent with the financial statements, or
- the Statement on Internal Financial Control does not reflect the Board's compliance with the Code of Practice for the Governance of State Bodies, or
- I find there are other material matters relating to the manner in which public business has been conducted.

I have nothing to report in regard to those matters upon which reporting is by exception.

**Andrew Harkness**  
**For and on behalf of the**  
**Comptroller and Auditor General**

30 June 2011



## Statement of Accounting Policies

### 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 Innovation. The unit of currency in which the financial statements are denominated is the Euro.

### Fee Income

Fee Income consists of Claimant and Respondent Fees. Claimant fees are recognised on a cash receipts basis. Respondent Fees are recognised on consent to the Board's assessment process.

### 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 Premises	Remaining years of the lease	
IT Hardware/Software	25%	Straight Line
Office Equipment	20%	Straight Line
Fixtures & Fittings	12.50%	Straight Line
Office Furniture	12.50%	Straight Line

### Taxation

The Board 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 Income and Expenditure account.

### Operating Lease

Payments under the operating lease are charged to the Income and Expenditure Account.

### Superannuation

In view of the arrangements, as described in Note 13, which the Board has put in place in relation to the defined benefit scheme it will operate for employees, the Board is of the view that the provisions of Financial Reporting Standard 17, Accounting for Retirement Benefits, in relation to accounting for pension liabilities which arise under defined benefit schemes, are not applicable to its circumstances. Accordingly, the Board charges the employer contributions to the Income and Expenditure Account in the year, as if the scheme was a defined contribution scheme.

### Debtors

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

## SECTION 5

### FINANCIAL STATEMENTS

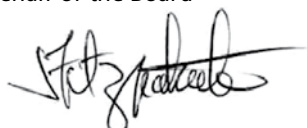
### FOR THE YEAR ENDED 31 DECEMBER 2010

#### Income and Expenditure Account for the year ended 31 December 2010

	Notes	2010 €	2009 €
<b>Income</b>			
Fee Income	1	14,658,024	14,275,856
Interest Receivable		233,092	140,785
Transfer from Capital Account	12	62,657	62,657
Other Income		445	0
<b>Total Income</b>		<b>14,954,218</b>	<b>14,479,298</b>
<b>Expenditure</b>			
Salaries, Pensions and related expenses	2	6,637,745	6,085,641
Claims Processing expenses	3	1,513,619	1,437,315
Board Member Fees	2	97,200	99,518
Accommodation & Establishment Costs	4	428,742	465,870
Recruitment, Training & Education	4	17,156	43,396
Information, Research & Communication	4	258,547	181,380
Legal Costs & Professional Fees	4	181,294	215,083
Judicial Review Costs	4	(4,843,530)	4,194,307
IT Costs	4	285,147	315,048
Telecommunication Costs		135,517	157,953
General Administration	4	394,955	543,044
Loss on Disposal of Fixed Assets		0	202
Depreciation		183,730	212,087
<b>Total Expenditure</b>		<b>5,290,122</b>	<b>13,950,844</b>
<b>SURPLUS FOR THE YEAR</b>		<b>9,664,096</b>	<b>528,454</b>
<b>Transfer from General Reserve</b>		<b>0</b>	<b>0</b>
<b>Balance at 1 January</b>		<b>2,807,425</b>	<b>2,278,971</b>
<b>BALANCE AT END OF YEAR</b>		<b>12,471,521</b>	<b>2,807,425</b>

The Board has no gains or losses in the financial year other than those dealt with in the financial statements. The Statement of Accounting Policies and Notes 1 to 16 form an integral part of these financial statements.

On behalf of the Board



Jerry Fitzpatrick  
19th April 2011

On behalf of the Board



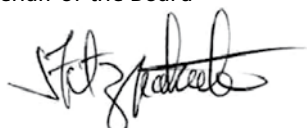
Joe O' Toole  
19th April 2011

## Balance Sheet at 31 December 2010

	Notes	2010 €	2010 €	2009 €	2009 €
<b>Fixed Assets</b>					
Tangible Assets	5		665,694		839,051
<b>Current Assets</b>					
Debtors	6	1,593,215		2,347,132	
Cash at bank and on hand		14,024,968		8,998,671	
<b>Total Current Assets</b>		<b>15,618,183</b>		<b>11,345,803</b>	
<b>Current Liabilities</b>					
Creditors: Amounts falling due within one year	7	2,092,442		2,918,815	
<b>Net Current Assets</b>			<b>13,525,741</b>		<b>8,426,988</b>
<b>Total Assets less Current Liabilities</b>			<b>14,191,435</b>		<b>9,266,039</b>
Provision for liabilities	8		1,187,131		5,863,175
<b>Net Assets</b>			<b>13,004,304</b>		<b>3,402,865</b>
<b>Financed By:</b>					
Capital Account	12		532,783		595,440
Income & Expenditure Account			12,471,521		2,807,425
			<b>13,004,304</b>		<b>3,402,865</b>

The Statement of Accounting Policies and Notes 1 to 16 form an integral part of these financial statements.

On behalf of the Board



Jerry Fitzpatrick  
19th April 2011

On behalf of the Board



Joe O' Toole  
19th April 2011

## SECTION 5

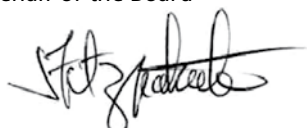
### FINANCIAL STATEMENTS

### FOR THE YEAR ENDED 31 DECEMBER 2010

#### Cash Flow Statement for the Year Ended 31 December 2010

	Notes	2010 €	2009 €
<b>Cash Flow Statement</b>			
Net Cash Flow from Operating Activities	9	4,803,579	3,703,892
Returns on Investment and Servicing of Finance			
Bank Interest		233,092	140,785
<b>Cash Flow before Capital Expenditure</b>		<b>5,036,671</b>	<b>3,844,677</b>
<b>Capital Expenditure</b>			
Purchase of Tangible Fixed Assets	5	(10,374)	(4,939)
Sale of Tangible Fixed Assets		0	0
<b>Net Cash outflow from Capital Expenditure</b>		<b>(10,374)</b>	<b>(4,939)</b>
<b>Movement in Cash for the Year</b>	<b>9</b>	<b>5,026,297</b>	<b>3,839,738</b>

On behalf of the Board



Jerry Fitzpatrick  
19th April 2011

On behalf of the Board



Joe O' Toole  
19th April 2011

## Notes to the Financial Statements for the Year ended 31 December 2010

### 1. Fee Income

	2010 €	2009 €
Claimant Fee Income	1,288,595	1,223,830
Respondent Fee Income	13,369,429	13,052,026
	<b>14,658,024</b>	<b>14,275,856</b>

### 2. i) Salaries, Pensions and Related Expenses

	2010 €	2009 €
* Salaries	4,168,362	4,564,345
Employer Superannuation Contributions	1,065,277	1,134,232
Employer PRSI Contributions	359,681	387,064
	<b>5,593,320</b>	<b>6,085,641</b>
** Other Costs	1,044,425	0
	<b>6,637,745</b>	<b>6,085,641</b>

\* €292,343 of Pension Related Deduction has been deducted and paid over to the Department of Enterprise, Trade and Innovation in 2010.

\*\* Included in Other Costs is an amount of €393,645 being that paid to Department of Enterprise Trade and Innovation to reimburse the Budget 2010 reductions in gross salaries and an amount of €650,780 accrued being the additional employer pension contributions relating to 2007 and 2008 in line with the contribution level outlined in Note 13.

#### Staff Numbers

Average Staff directly employed by the Board	74	76
--	----	----

#### Emoluments of Chief Executive

Patricia Byron		
Salary	178,838	189,377

Included in the above salary figure is €11,040 for a car allowance which was €12,000 in 2009. In addition to the above, performance related pay amounting to €31,396 was paid in March 2010 (relating to 2009 performance). In 2009, performance related pay amounting to €29,528 was paid in February 2009. Performance related payments were discontinued in 2010.

### ii) Board Fees and Expenses

	2010 €	2009 €
Board Fees	97,200	99,518
<b>By Board Member</b>		
Dorothea Dowling - Chairperson	21,600	22,400
Senator Joe O' Toole	12,600	12,639
John Fay	12,600	12,639
Tom Noonan	12,600	13,067
Jerry Fitzpatrick	12,600	8,672
Frank Cunneen	12,600	13,067
Professor Denis Cusack	12,600	13,067
Pat Healy (retired 12 April 2009)	0	3,967
	<b>97,200</b>	<b>99,518</b>

The above fees do not reflect 5% reduction, due to a failure to be notified. This is being adjusted in 2011.

The following Board Members were paid no fees during 2010: Ann Fitzgerald, Mary O'Dea, Matthew Elderfield, Bernard Sheridan, Tanya Holly.

There were no expenses paid to Board members for 2010.

## SECTION 5

### FINANCIAL STATEMENTS

### FOR THE YEAR ENDED 31 DECEMBER 2010

#### Notes to the Financial Statements for the Year ended 31 December 2010 (Continued)

<b>3. Claims Processing expenses</b>	<b>2010</b>	<b>2009</b>
	€	€
Outsourced Service Centre Costs	1,513,619	1,437,665
Claim related Medical Fees	4,329,116	4,313,376
Claim related Other Costs	105,138	153,320
Claim related Costs to be Reimbursed	(4,434,254)	(4,467,046)
	<b>1,513,619</b>	<b>1,437,315</b>
<b>4. Expenditure</b>	<b>2010</b>	<b>2009</b>
<b>Accommodation &amp; Establishment Costs</b>	€	€
Rent, Rates and Service Charges	301,252	305,774
Cleaning and Security	55,497	56,936
Light & Heat, Maintenance and Other	71,993	103,160
	<b>428,742</b>	<b>465,870</b>
<b>Recruitment, Training &amp; Education</b>	€	€
Training, Education and other costs	16,461	31,285
Advertising, Interviews and other recruitment costs	695	12,111
	<b>17,156</b>	<b>43,396</b>
<b>Information, Research &amp; Communication</b>	€	€
Branding & Awareness Campaign	49,192	22,660
Advertising - Other	159,744	124,451
*Advertising - Sponsorship	35,000	0
Leaflets/Brochures & Publications	14,611	34,269
	<b>258,547</b>	<b>181,380</b>

\* The Board sponsored an event "Support Your County Ball" organised by Temple Street Children's Hospital during the year.

**4. Expenditure (note continued)**

	2010	2009
Legal Costs & Professional Fees	€	€
Statistical, Internal Audit and other Professional Fees	107,785	122,998
Audit Fees	11,675	15,887
General Legal Advices	61,834	76,198
	181,294	215,083

**Judicial Review Costs**

	€	€
Additional Judicial Review Provision - S.44 Cases ( Note 8)	240,000	4,368,439
Additional Judicial Review Provision - Other (Note 8)	880,554	324,220
Release of Judicial Review Provision - S.44 Cases (Note 8)	(5,306,601)	-
Release of Judicial Review Provision - Accruals (Note 7)	(656,978)	(498,352)
Sundry Refunds Received	(505)	-
	(4,843,530)	4,194,307

\* Arising from the successful defense of Section 44 actions a release of provision was made (See Note 8)

**IT Costs**

	€	€
IT Software Development	6,140	5,360
IT Licence Fees	166,447	189,888
IT Support & Maintenance	93,478	100,210
IT Consumables & Training	18,168	18,491
IT Other Costs	914	1,099
	285,147	315,048

**General Administration**

	€	€
Postage	319,174	402,021
Travel & Subsistence	11,902	20,599
Office Stationery	24,272	42,898
Insurances	52,648	56,233
Temporary Staff	3,520	2,279
Sundries	11,496	19,184
Employee Related Expenditure	10,014	12,954
Provision for Doubtful Debts	(120,317)	(68,587)
Claim Related Fee Write Offs	82,246	55,463
	394,955	543,044

## SECTION 5

### FINANCIAL STATEMENTS

### FOR THE YEAR ENDED 31 DECEMBER 2010

#### Notes to the Financial Statements for the Year ended 31 December 2010 (Continued)

##### 5. Fixed Assets

	Leasehold Premises	IT Hardware/ Software	Office Equipment	Fixtures & Fittings	Office Furniture	Total
Cost / Valuation	€	€	€	€	€	€
As at 1 January	832,664	1,370,696	175,017	46,951	241,168	2,666,496
Additions	0	10,374	0	0	0	10,374
Disposals	0	0	0	0	0	0
As at 31 December	832,664	1,381,070	175,017	46,951	241,168	2,676,870
Accumulated Depreciation						
As at 1 January	272,003	1,217,803	148,126	26,196	163,317	1,827,445
Charge	41,746	92,354	13,613	5,869	30,148	183,730
Disposals	0	0	0	0	0	0
As at 31 December	313,749	1,310,157	161,739	32,065	193,465	2,011,175
Net Book Value						
As at 31 December 2010	518,915	70,913	13,278	14,886	47,702	665,694
As at 31 December 2009	560,661	152,893	26,891	20,755	77,851	839,051

##### 6. Debtors

	2010 €	2009 €
Amounts falling due within one year		
Fees Receivable	1,738,664	1,880,467
Provision for Doubtful Debts	(305,595)	(425,912)
Legal Costs Reimbursable*	4,500	698,323
Interest Receivable	15,909	37,547
Prepayments	131,829	119,795
Other Debtor	7,908	36,912
	1,593,215	2,347,132

\* The Department of Enterprise, Trade and Innovation agreed to reimburse the Board in respect of its costs in the case of O'Brien v Personal Injuries Assessment Board, judgement in which was delivered by the Supreme Court in December 2008. As disclosed in note 7, the amount is not required as a result of decisions by the Taxing Master in relation to legal costs in 2010 and has been offset against accruals.



**7. Creditors**

	2010 €	2009 €
Amounts falling due within one year		
Trade Creditors	402,521	127,816
* Accruals	595,487	2,369,040
Taxes & Social Welfare	212,831	232,619
Pension Liability	773,030	100,330
Other Creditors	108,573	89,010
	<b>2,092,442</b>	<b>2,918,815</b>

Included in opening accruals was an amount of €1.4 million in respect of legal costs for settled Judicial Review cases. As a result of decisions made by the Taxing Master some of the anticipated costs did not materialise. As a result an amount of €656,978 was written back against Judicial Review costs as shown in Note 4 and €693,824 was offset against an equal amount recoverable as explained in Note 6.

**8. Provision for Liabilities**

	2010 €	2009 €
Opening Balance	5,863,175	2,495,852
Additional Provision - S44 Cases (Note 4)	240,000	4,368,439
Additional Provision - Other (Note 4)	877,503	325,868
Reversed during the year - S44 Cases (Note 4)	(5,306,601)	0
Utilised During Year	(486,946)	(1,326,984)
Closing Balance	<b>1,187,131</b>	<b>5,863,175</b>

Provisions represent a prudent estimate of liabilities that may arise to third parties, in respect of legal actions notified prior to year end. Due to the nature of its operations the Board is involved in various legal actions, principally the judicial review of sections of the Personal Injuries Assessment Board Act 2004.

The provisions are based upon an assessment of the probable costs of defending known actions to the extent that such costs can be reliably estimated. The assumptions made in assessing the appropriate level of provision include the likely outcome of the actions, future trend of legal costs (both our own and third party) and the estimated date the action will be heard. The Board is satisfied that it has made the best estimate of the appropriate provision in financial statements for the likely outcome, the provision may be subject to revision from time to time as more information becomes available.

The Board successfully defended a number of Judicial Reviews during the year, in particular twenty one cases relating to the payment of legal costs for claimants (Section 44). The Board had made provision for defending these cases at the end of 2009 and following the successful outcome in 2010, this provision has now been reversed.

## SECTION 5

### FINANCIAL STATEMENTS

### FOR THE YEAR ENDED 31 DECEMBER 2010

#### Notes to the Financial Statements for the Year ended 31 December 2010 (Continued)

9. i) Reconciliation of Surplus for Year to Net Cash Flow from Operating Activities	2010 €	2009 €
Surplus for Year	9,664,096	528,454
<b>Non Operating Items</b>		
Bank Interest	(233,092)	(140,785)
Disposal of fixed asset	-	202
<b>Non Cash Items</b>		
Capital Account Transfer	(62,657)	(62,657)
Depreciation Charge		
- Tangible Fixed Assets	183,730	212,087
(Increase)/Decrease in Debtors	753,918	243,486
Increase/(Decrease) in Creditors	(826,372)	(444,218)
Increase/(Decrease) in Provision for liabilities	(4,676,044)	3,367,323
<b>Net Cash Flow from Operating Activities</b>	<b>4,803,579</b>	<b>3,703,892</b>

#### ii) Increase in Cash

##### Reconciliation of Increase in Cash to Cash at Bank

Movement in Cash for the Year	5,026,297	3,839,738
Cash at Bank at 1 January	8,998,671	5,158,933
Cash at Bank at 31 December	14,024,968	8,998,671

#### 10. Contingent Liability

##### Legal Actions

As stated in Note 8 the Board is, from time to time, party to various legal actions. Based on a number of factors including the number of proceedings notified in 2010, the issues addressed, the Board believes that it is likely that further actions will be notified during 2011.

#### 11. Financial Commitments

##### Operating leases

The Board occupies premises at Grain House, Exchange Hall, Belgard Square North, Tallaght, Dublin 24. The premises are leased by the Office of Public Works and the lease costs are borne by the Board. The lease is for a twenty year term commencing from 2004 with an initial rent of €188,554 per annum. Rent review dates occur at the commencement of the sixth, eleventh and sixteenth years of the lease.

	2010 €	2009 €
Due within one year	0	0
Due after one year and before five years	0	0
After five years	188,554	188,554
	<b>188,554</b>	<b>188,554</b>

**12. Capital Account**

	2010	2009
	€	€
Balance at 1 January	595,440	658,097
Amortisation in line with asset depreciation	(62,657)	(62,657)
Balance at 31 December	532,783	595,440

The capital account represents receipts from Government which have been allocated for the purchase of fixed assets. The receipts are amortised in line with depreciation on the related fixed assets.

**13. Accounting Treatment for Retirement Benefits**

The Board 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 in 2008. The Spouse and Children scheme was approved in 2009.

Benefits payable under the scheme are funded by the Exchequer.

The scheme has a number of specific characteristics:

- The Board 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 2010 was 25% of gross pay.
- There is an explicit 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.

The Board considers that its pension arrangements, as described above, have the same financial effect from the Board's point of view as a defined contribution scheme. It is of the view that the provisions of Financial Reporting Standard 17, Accounting for Retirement Benefits, which arise under defined benefit schemes, are not appropriate to its circumstances. Accordingly, it accounts for its contributions as if the scheme was a defined contribution scheme.

**14. Board Members Interests**

In accordance with the 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. There are no transactions in the period in which the members had an interest.

**15. Comparative Figures**

A number of adjustments have been made to assist presentation and comparative figures for 2009 have been restated on a consistent basis.

**16. Approval of Financial Statements**

The Financial Statements were approved by the Board on the 19th April 2011.





# APPENDICES

APPENDIX 1  
APPENDIX 2  
APPENDIX 3

## APPENDIX 1

### INJURIESBOARD.IE PROCESS

#### InjuriesBoard.ie Process

The table below summarises the stages involved in InjuriesBoard.ie's claims process.

Stage	Description
Stage 1	Claimant notifies InjuriesBoard.ie of claim via InjuriesBoard.ie's Service Centre in Clonakilty, County Cork or online via <a href="http://www.injuriesboard.ie">www.injuriesboard.ie</a>
	The Service Centre can be contacted by telephone Monday to Friday, 8am to 8pm on LoCall 1890829 121 or by post to P.O. Box 8, Clonakilty, County Cork.
Stage 2	An InjuriesBoard.ie representative assists the Claimant with their application
Stage 3	Claimant submits their application and Medical Assessment Form
Stage 4	InjuriesBoard.ie informs Respondent of claim
Stage 5	Respondent consents to InjuriesBoard.ie assessment.*
Stage 6	If the Respondent consents, an assessment is made and both Claimant and Respondent are informed of the amount of the award.
Stage 7	Both parties accept the award and InjuriesBoard.ie issues an 'Order to Pay' directing the Respondent to pay the award to the Claimant.
Stage 8	Claimant receives payment and matter is closed.

\* If the Respondent does not consent to the assessment or if either party reject the assessment, InjuriesBoard.ie will issue an 'Authorisation' to the Claimant which allows them to pursue their action through the courts, if they so wish.

## APPENDIX 2

# THE ORGANISATION

### Organisational structure

This following section outlines the organisational structure of InjuriesBoard.ie. InjuriesBoard.ie is lead by a Board of Directors (detailed below).

The Board is appointed by the Minister for Jobs, Enterprise and Innovation and consists of a Chairperson, and 10 ordinary members, including the Chief Executive. The Board is responsible for formulating InjuriesBoard.ie policies and the execution of other fiduciary duties.

#### Full list of Board members

Name	Position	Attendance Record
Dorothea Dowling	Non-Executive Chairperson	9 of 9
Senator Joe O'Toole	Vice Chairperson and Irish Congress of Trade Unions (ICTU) nominee	8 of 9
Patricia Byron	Chief Executive	9 of 9
John Fay	ICTU nominee	8 of 9
Tom Noonan	Irish Business & Employers Federation (IBEC) nominee	9 of 9
Jerry Fitzpatrick	Irish Insurance Federation (IIF) nominee	8 of 9
Ann Fitzgerald	Chief Executive of the National Consumer Agency	7 of 9
Bernard Sheridan	Acting Consumer Director, Financial Regulator	2 of 2
(June - September 2010*)		
Professor Denis Cusack	Department of Forensic Medicine, University College Dublin	9 of 9
Tanya Holly	Department of Enterprise, Trade and Innovation	8 of 9
Frank Cunneen	Former Chairperson Health & Safety Authority	9 of 9
Stephen Watkins	Secretary to the Board	

\*Mary O'Dea, Consumer Director, The Financial Regulator ceased membership in January 2010 (prior to the first Board meeting of 2010). The new Financial Regulator, Matthew Elderfield became a Board Member by virtue of his role as Acting Consumer Director from February 2010 to June 2010. He did not attend any Board meetings. Bernard Sheridan took over the role of Acting Consumer Director between June 2010 and September 2010. This role was abolished under new legislation but the Minister subsequently appointed Bernard Sheridan as a Board Member in early 2011.

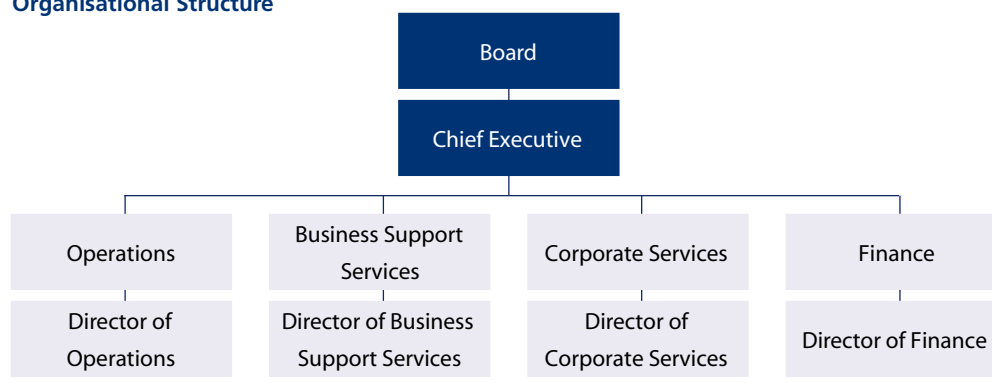
Details of fees paid to Board members are set out in the Financial Statements. As in previous years, no expenses were paid to Board members.

In addition to full Board meetings there were 5 meetings of the Board's Audit Committee during 2010, 2 meetings of the Board's Remuneration Committee, and 6 meetings of the Board's Finance Committee.

## APPENDIX 2

### THE ORGANISATION

#### Organisational Structure



#### Executive Management Team

Chief Executive Patricia Byron is a member of the Board. She also leads the Executive Management Team which includes:

- Bernadette King – Director of Finance
- Helen Moran – Director of Business Support Services
- Maurice Priestley – Director of Operations
- Stephen Watkins – Director of Corporate Services

The Chief Executive is responsible for the day-to-day management of InjuriesBoard.ie operations, supported by Directors, Managers, Assessors and Support Staff. At the end of 2010, InjuriesBoard.ie employed 74 staff in Tallaght, Dublin 24. In addition, InjuriesBoard.ie has an outsourced Service Centre based in Clonakilty, Co. Cork whose main functions are to deal with claim preparation, operation of the InjuriesBoard.ie helpline, and back office functionality.

#### Functions of the Personal Injuries Assessment Board

The Personal Injuries Assessment Board is obliged to make assessments on the same basis, and by reference to the same principles, as govern the measure of damages in the law of tort by the Courts. The InjuriesBoard.ie process is based on the provision of information, records or other documents. No oral hearings are conducted by the Board as this is a documents only process focused on the medical facts rather than representation of the facts in an adversarial environment. InjuriesBoard.ie is also charged with the following statutory functions:

- to prepare and publish a document (which shall be known as the “Book of Quantum”) containing general guidelines as to the amounts that may be awarded or assessed in respect of specified types of injury;
- to cause a cost-benefit analysis to be made of the legal procedures and the associated processes (including those provided for by the Act) that are currently employed in the State for the purpose of awarding compensation for personal injuries;
- to collect and analyse data in relation to amounts awarded on foot of, or agreed in settlement of, civil actions to which the Act applies and;
- to perform any additional functions conferred on the Board under Section 55 of the Act.



## APPENDIX 3

### GEOGRAPHICAL ANALYSIS OF CLAIMS

**Table 6.1 Breakdown of Awards by Location (based on address of Claimant) 2009 vs. 2010**

	2009		2010	
	No. of Awards	% of Awards	No. of Awards	% of Awards
Republic of Ireland	8,390	97%	8,095	96.5%
Northern Ireland	150	1.7%	167	1.9%
Rest of U.K.	66	0.8%	65	1%
Rest of World	37	0.4%	53	.6%
TOTALS	8,643	100%	8,380	100%

**Table 6.2 Breakdown of Award Categories by Location (based on address of Claimant) 2009 vs. 2010**

	2009				2010			
	ML	EL	PL	Total	ML	EL	PL	Total
Republic of Ireland	6,054	924	1,412	8,390	5,976	860	1,259	8,095
Northern Ireland	134	3	13	150	154	3	10	167
Rest of U.K.	48	5	13	66	47	4	14	65
Rest of World	21	11	5	37	28	22	3	53
TOTALS	6,257	943	1,443	8,643	6,205	889	1,286	8,380

**Table 6.3 Provincial Breakdown of Number of Awards (based on Address of Claimant) 2009 vs. 2010**

	2009				2010			
	ML	EL	PL	Total	ML	EL	PL	Total
Dublin	1,694	317	484	2,495	1,729	264	444	2,437
Rest of Leinster	1,458	242	310	2,010	1,457	221	299	1,977
Connaught-Ulster	987	104	138	1,229	1,016	97	167	1,280
Munster	1,915	261	480	2,656	1,774	278	349	2,401
Outside the State	203	19	31	253	229	29	27	285

## APPENDIX 3

### GEOGRAPHICAL ANALYSIS OF CLAIMS

Figure 3.1 Number of Awards per County

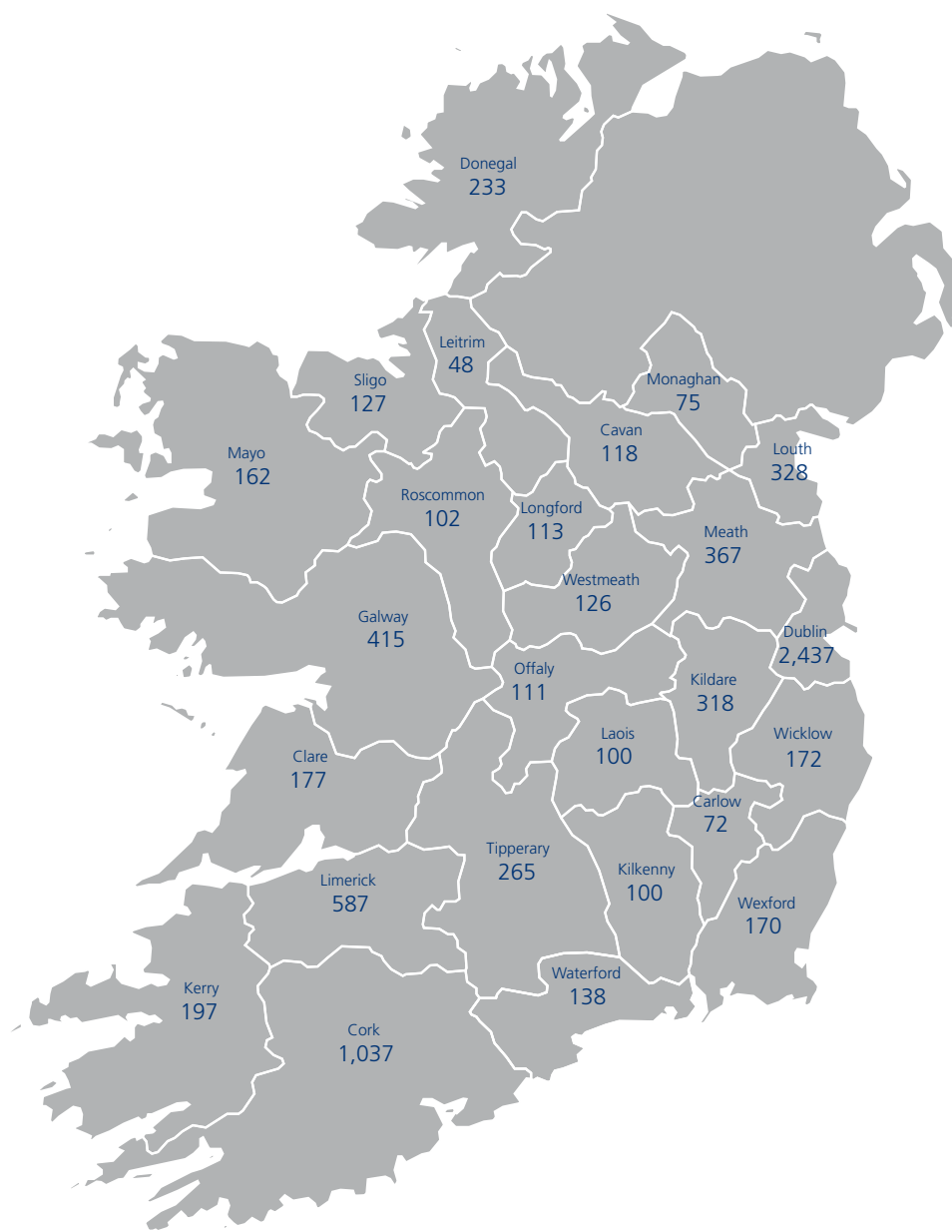
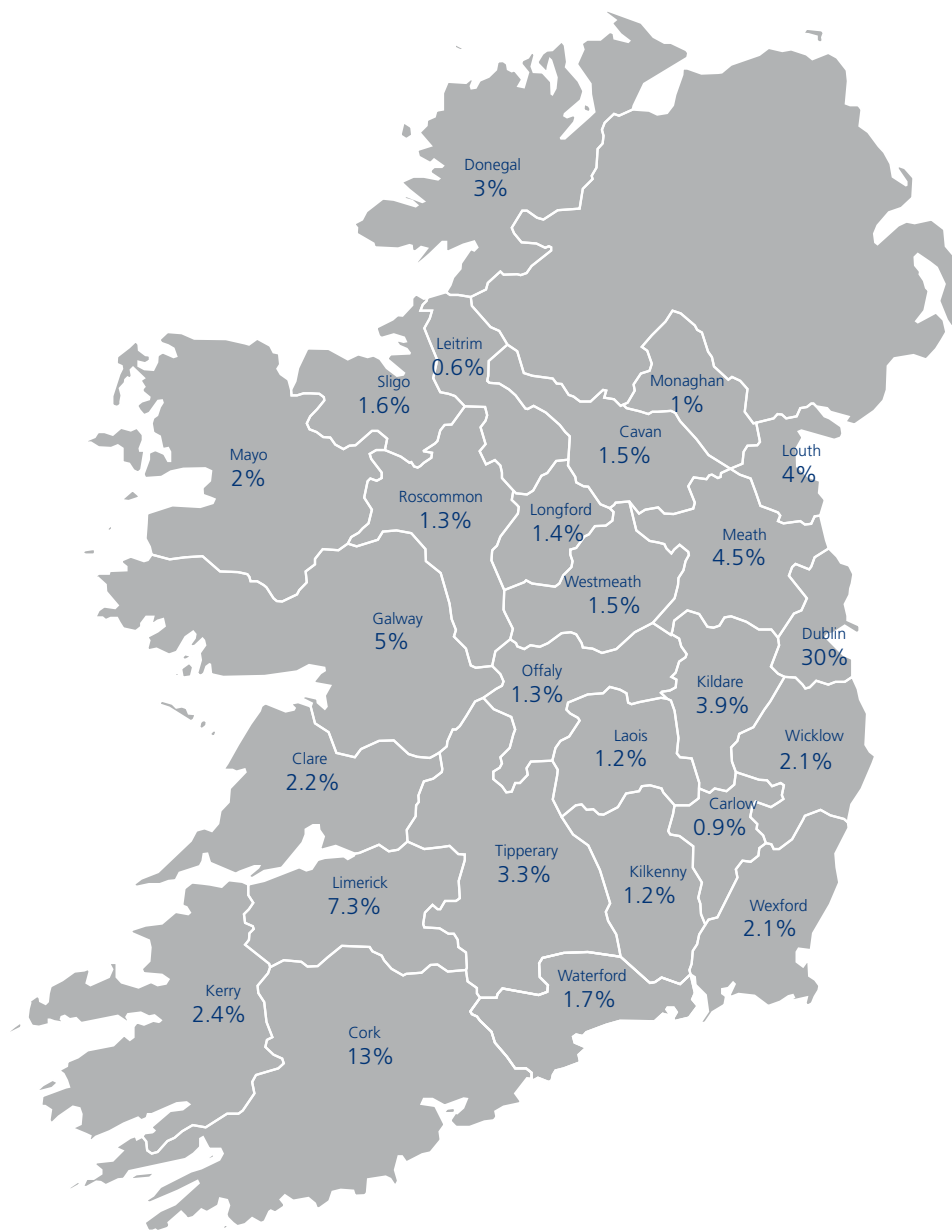


Figure 3.2 % of Awards per County



## APPENDIX 3

### GEOGRAPHICAL ANALYSIS OF CLAIMS

Figure 3.3 % of Total Population (based on Central Statistics Office 2006 data) per County

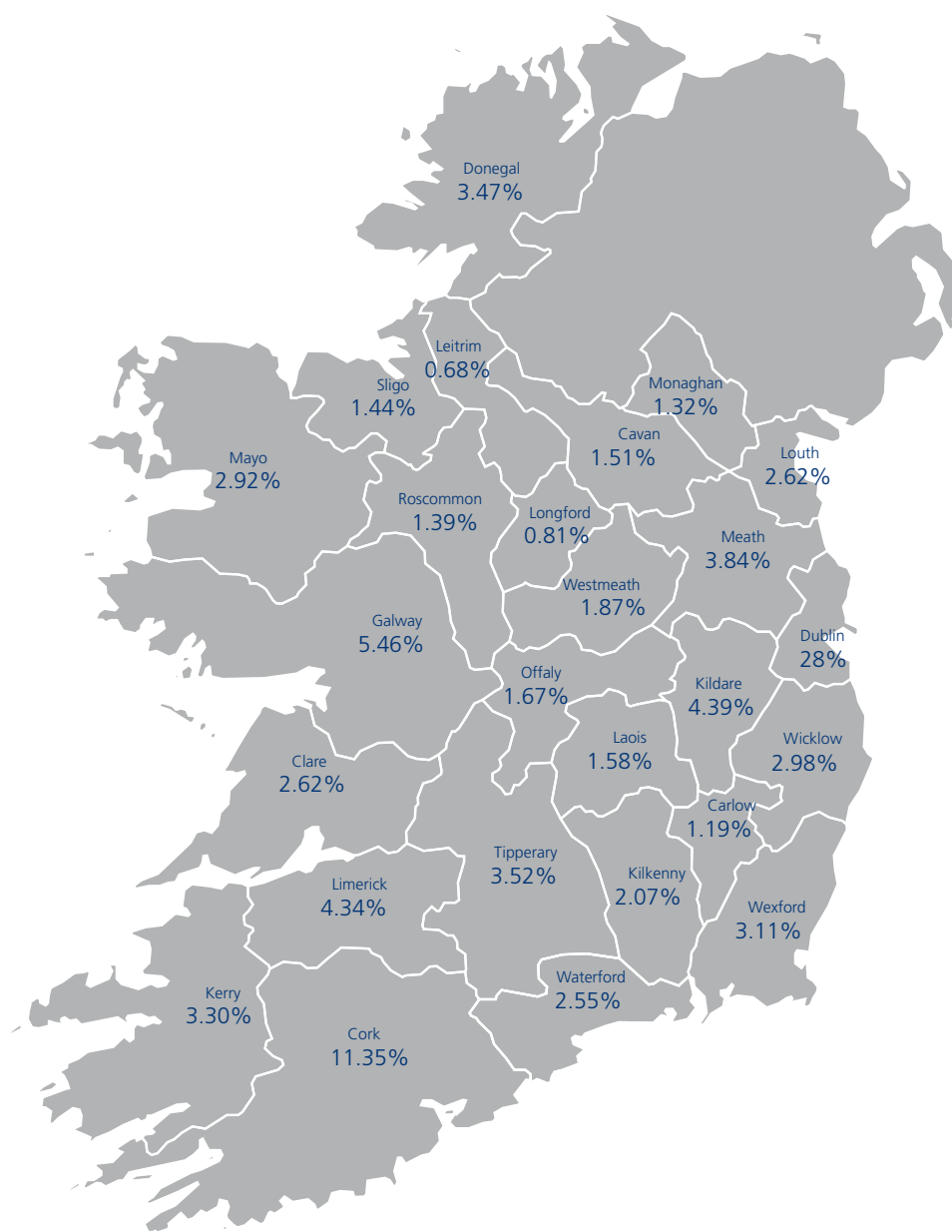
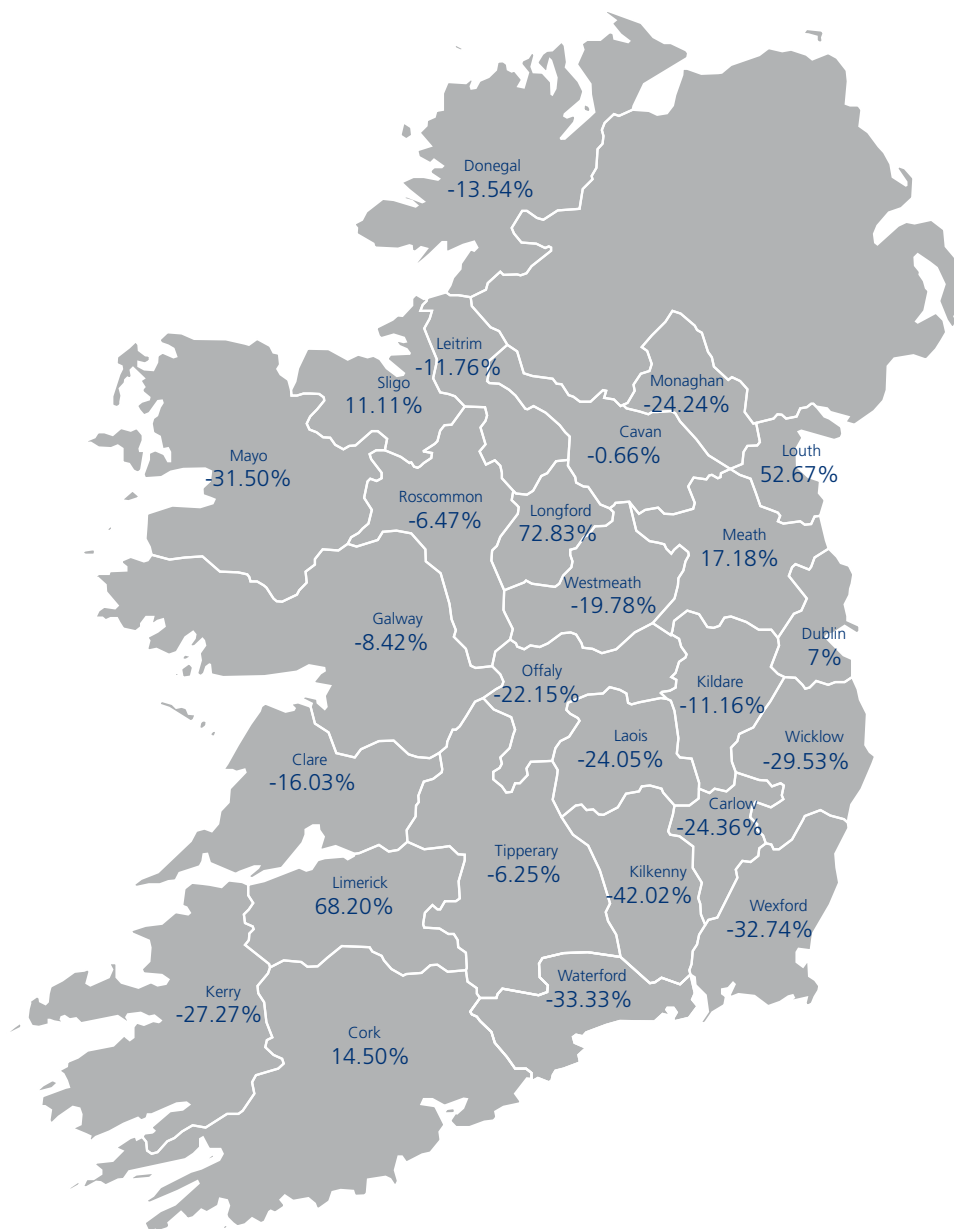


Figure 3.4 % Variance of Awards vs. Population (based on Central Statistics Office 2006 data) per County



## APPENDIX 3

### GEOGRAPHICAL ANALYSIS OF CLAIMS

Table 6.4 Top 5 Counties by Awards as per head of population 2010

	% of Awards per county	% of Total Population in County	Variance to National Average
Longford	1.4%	0.81%	72.83%
Limerick	7.3%	4.34%	68.20%
Louth	4%	2.62%	52.67%
Meath	4.5%	3.84%	17.18%
Cork	13%	11.35%	14.50%

Table 6.5 Bottom 5 Counties by Awards as per head of population 2010

	% of Awards per county	% of Total Population in County	Variance to National Average
Kilkenny	1.2%	2.07%	-42.02%
Waterford	1.7%	2.55%	-33.33%
Wexford	2.1%	3.11%	-32.47%
Mayo	2%	2.92%	-31.50%
Wicklow	2.1%	2.98%	-29.33%

### Overall Awards 2010

Figure 3.5 Highest No. of Overall Awards by County 2010 (based on address of claimant)

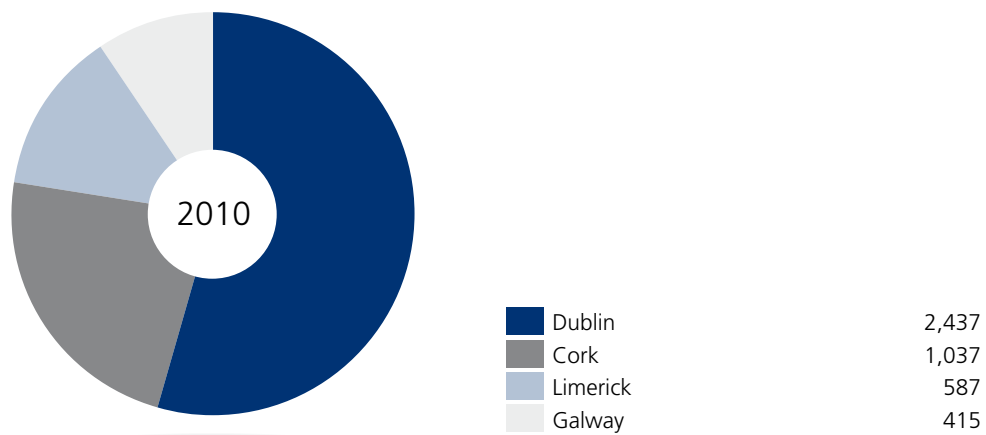
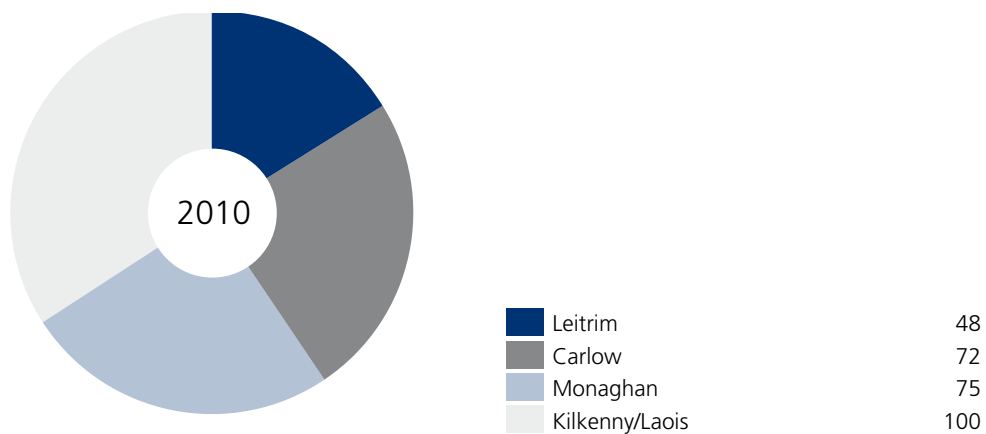


Figure 3.6 Lowest No. of Overall Awards by County 2010 (based on address of claimant)



APPENDIX 3

GEOGRAPHICAL ANALYSIS OF CLAIMS

Motor liability Awards 2010

Figure 3.7 Highest Number of ML Awards by County 2010 (based on address of claimant)

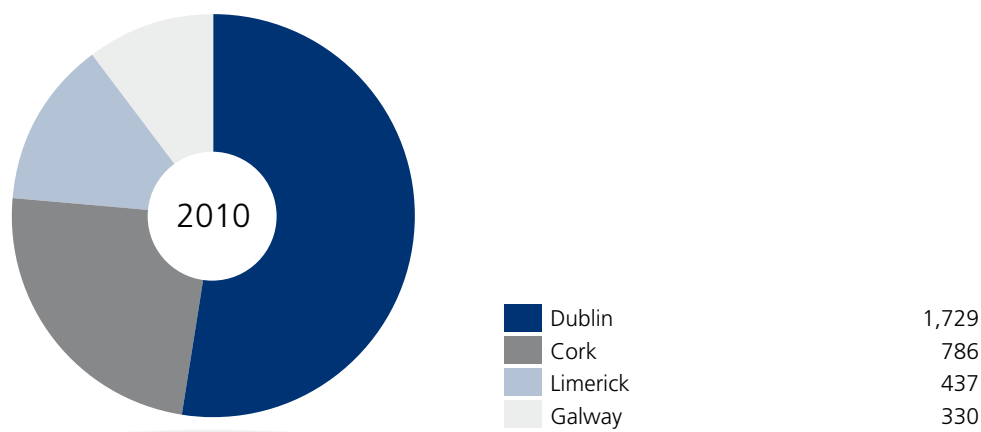
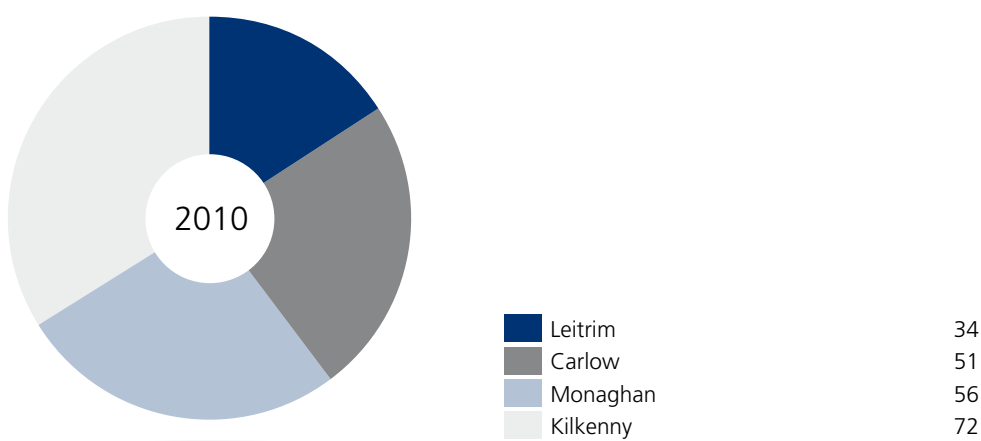


Figure 3.8 Lowest Number of ML Awards by County 2010 (based on address of claimant)





### Employer's liability Awards 2010

Figure 3.9 Highest Number of EL Awards by County 2010 (based on address of claimant)

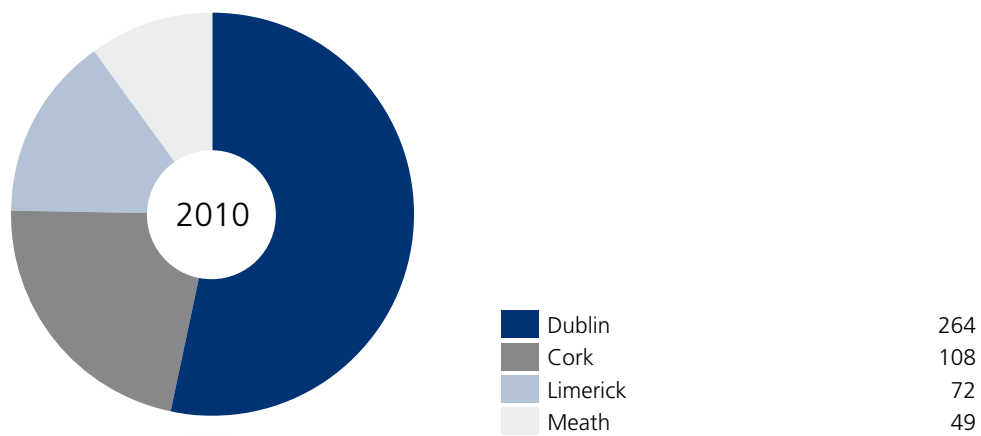
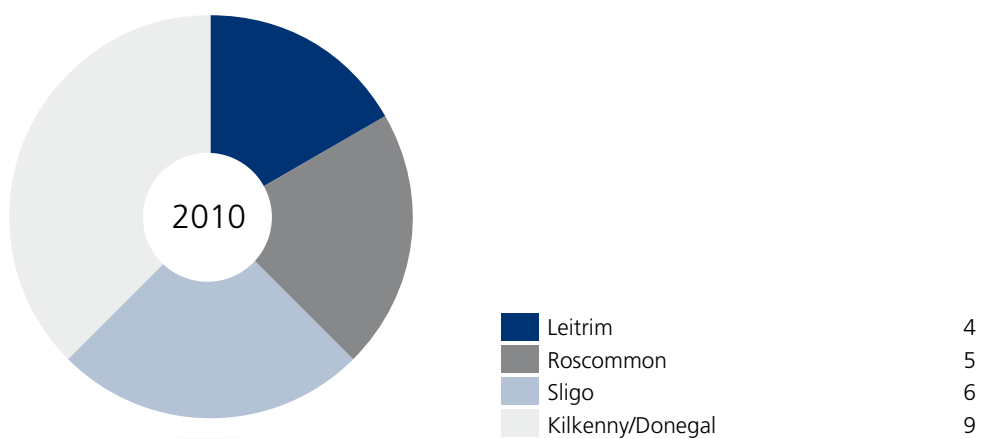


Figure 3.10 Lowest Number of EL Awards by County 2010 (based on address of claimant)



APPENDIX 3

GEOGRAPHICAL ANALYSIS OF CLAIMS

Public liability Awards 2010

Figure 3.11 Highest Number of PL Awards by County 2010 (based on address of claimant)

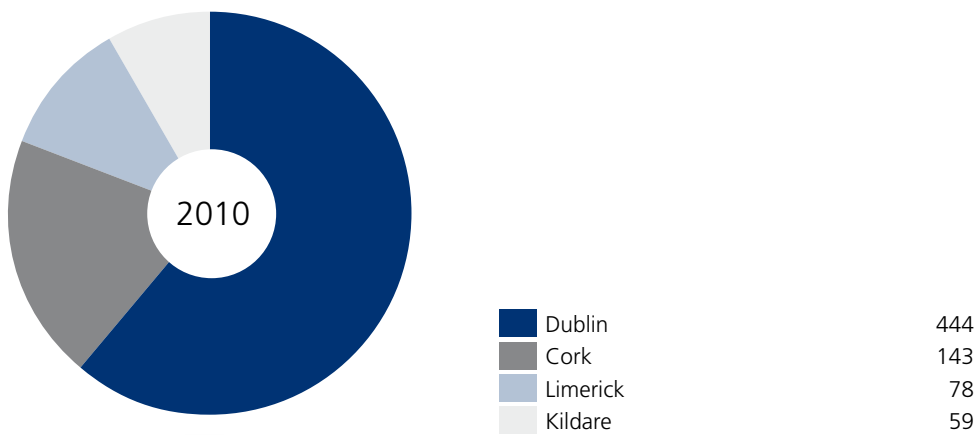
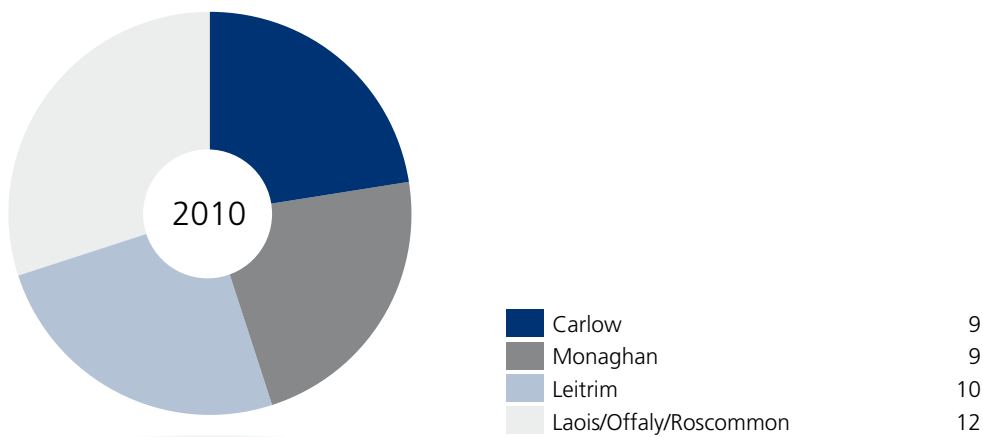


Figure 3.12 Lowest Number of PL Awards by County 2010 (based on address of claimant)







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