

Personal Injuries Award Values

1st of January – 30th of June 2024



Who we are:

The Injuries Resolution Board is an independent State Body established in 2004 to support the fair, prompt, and transparent resolution of personal injuries claims without the need for unnecessary litigation.

Through the Injuries Resolution Board, personal injuries claims, can be resolved impartially without the need for many of the costs and time associated with litigation.

The Injuries Resolution Board is a self-funded public body and is a key pillar in contributing to reform of the insurance sector and the personal injuries environment. The Injuries Resolution Board generates millions of euros in savings which would otherwise be spent on pursuing claims through litigation leading to higher costs for parties to claims and ultimately to policy holders, communities and businesses.

What we do:

The Injuries Resolution Board independently facilitates the resolution of personal injury claims through neutral, impartial mediation and/or assessment of compensation for injuries sustained as a result of:

- Motor
- Employer/ workplace, or
- Public Liability accidents or incidents
- Garda Compensation Scheme

Our assessment and mediation services are fair, independent and non-adversarial and we use the same Guidelines as the Courts to calculate levels of compensation. Our services lead to quicker, consistent and lower cost resolution of claims benefiting all parties and society.

The Injuries Resolution Board also collects and analyses data on personal injury claims and awards to help contribute to greater transparency and inform policy and decision making in this area.

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Executive Summary



This report provides an overview of over 4,391 assessments of compensation made by the Injuries Resolution Board for non-fatal personal injury claims between January and June 2024.

Summary of Key Findings:

Personal Injury Claim Volumes

- In the first half of 2024, a total of 10,670 claim applications were submitted to the Injuries Resolution Board, including over 400 Garda Compensation Scheme claims, which first came under the Board's remit in April 2023.
- When examining claim volumes across Motor Liability, Employer Liability, and Public Liability categories, **there was a 2% decrease in the number of claims submitted in the first half of 2024 compared to the same period in 2023.**
- Specifically, **Motor Liability claims increased by 2%**, while **Employer Liability and Public Liability claims decreased by 5% and 8%**, respectively in the first six months of 2024.

Prior to the Covid-19 pandemic, claim volumes were relatively stable, generally exceeding 30,000 applications annually. The pandemic caused a significant reduction in claim volumes due to reduced traffic, fewer workplace attendances, and decreased business footfall. Although a degree of post-pandemic recovery in claim volumes was expected, data from the first half of 2024 shows a continued 39% decrease compared to the same period in 2019. This reduction is most pronounced in Public Liability claims (-45%), followed by Employer Liability (-41%) and Motor Liability (-35%). The ongoing decline may also be influenced by the Personal Injuries Guidelines introduced in April 2021, which significantly reduced compensation values for minor injuries.

Personal Injury Award Values

In the first half of 2024, the Injuries Resolution Board made assessments of compensation for 4,391 personal injury claims, excluding fatal cases and Garda Compensation Scheme claims.

- The median award value decreased by 29%, from €18,422 in 2020 to €13,000 in the first half of 2024, with the most significant reduction observed in Public Liability cases (-34%).
- The average award value also saw a decline, decreasing by 22% from €23,877 in 2020 to €18,722 in the first half of 2024

This trend reflects the impact of the Personal Injuries Guidelines introduced in April 2021, which shifted award values towards lower bands. This ongoing impact can be clearly seen among claim categories, with 37% of Public Liability awards made in the first half of 2024 valued under €10,000, compared to just 15% of awards in 2020.

Key Factors influencing Award Values:

Variations in the type or severity of injuries directly affect the compensation awarded by the Injuries Resolution Board.

- Recent legislative changes allowing the Board to assess wholly psychological injuries have influenced the injury profile, with psychiatric damage cases increasing from 5% of awards in 2021 to 13% of awards made in the first half of 2024.
- The slight increase in the proportion of psychiatric damage awards in the first half of 2024 compared to 2023 (+1%) suggests that this trend has now stabilised.






- In the first half of 2024, the proportion of awards made for moderate to severe injuries has increased from 15% of awards made between April to December 2021 to 22% of awards made in the first half of 2024.
- In the first half of 2024, neck and back injuries accounted for 46% of awards made, with 88% classified as minor severity. The data shows significant changes in the recovery profile for these injury types, with a reduction in the number of awards made for minor severity neck and back injuries with a substantial recovery period of within 6 months in the first half of 2024.

Overall, the findings show that more complex injury cases are being retained and assessed by the Injuries Resolution Board, rather than proceeding to litigation. This enables individuals who have sustained serious and life-changing injuries to receive compensation sooner, while significantly reducing litigation fees, to the benefit of all parties.

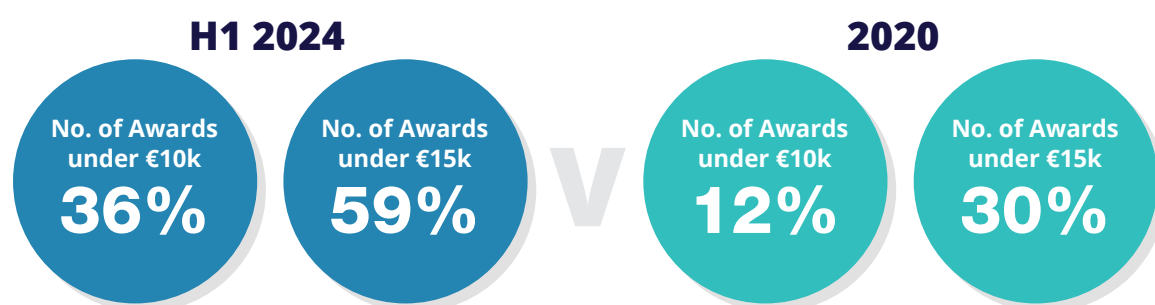
The first half of 2024 has seen several positive developments for the Injuries Resolution Board, including a steady consent rate of 71%, the highest since its establishment in 2004, and an increased acceptance rate of 50%, reaching 53% in June 2024. This follows the Supreme Court judgment in April 2024, which upheld the Personal Injuries Guidelines as legally binding and constitutional. In December 2024, new draft Guidelines were published by the Judicial Council. Future reports will monitor the impact of these proposed changes on personal injury awards.

Infographic Summary

Personal Injuries Award Values January - June 2024

Award Category		Median Award Value	% drop in value	Average Award Value	% drop in value
	Motor Liability	€12,500	-30%	€17,067	-23%
	Public Liability	€13,700	-34%	€21,067	-19%
	Employer Liability	€16,469	-30%	€24,324	-20%
Overall award		€13,000	-29%	€18,722	-22%

Lower than 2020 award, assessed under the Book of Quantum



General Damages: H1 2024 v 2020

The award for the pain and suffering experienced by the Claimant as a result of the accident

-29%
Lower than median
General Damages
award in 2020 under
the Book of Quantum



-26%
Lower than average
General Damages award
in 2020, assessed under
the Book of Quantum

Consent Rate

The percentage of Respondents to a claim consenting to an assessment being made in 2024

71%
2024 H1

Acceptance Rate

The percentage of assessments accepted by both the Claimant and Respondent

50%
2024 H1

Comparison of Claim Volumes in H1 2024 v H1 2023



Motor Liability +2%



Public Liability -8%



Employer Liability -5%

Trends in Award Values - Driven by Claim Profile

Median Award Values

Apr-Dec 2021



2022



2023



Jan-Jun 2024



Lower than **median** award in 2020, assessed under the Book of Quantum

Average Award Values

Apr-Dec 2021



2022



2023



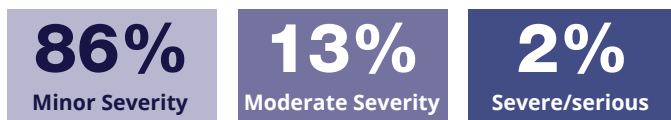
Jan-Jun 2024



Lower than **average** award in 2020, assessed under the Book of Quantum

Throughout the first half of 2024, the Injuries Resolution Board continue to retain and assess more complex injury cases

Apr - Dec 2021 Awards



Jan - Jun 2024 Awards



Assessments related to Psychiatric Damage Injuries

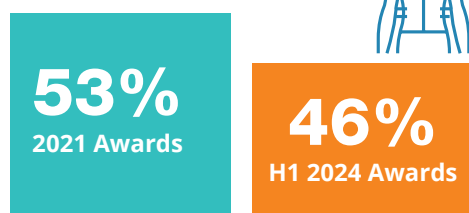


H1 2024 Awards

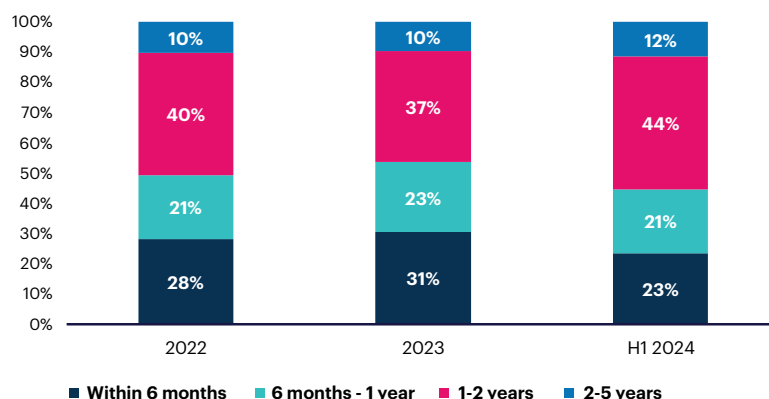
5%

Apr - Dec 2021 Awards

Assessments related to Neck/Back Injuries



Minor Neck/ Back Injuries - Substantial Recovery Periods



About this Report



This report provides an overview of 4,391 assessments of compensation made by the Injuries Resolution Board between January 1st and June 30th, 2024, for injuries sustained in road traffic accidents (Motor Liability claims), workplace accidents (Employer Liability claims), and public-setting accidents (Public Liability claims).

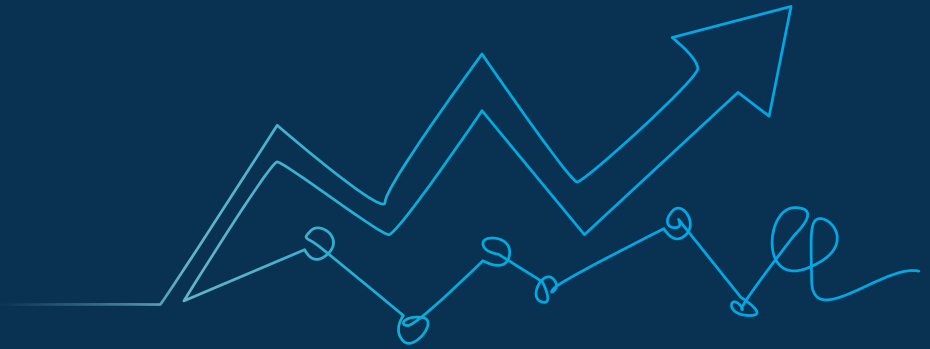
The first half of 2024 marks three years since the introduction of the Personal Injuries Guidelines in April 2021, which significantly transformed the personal injury landscape. Additionally, this period saw substantial legislative changes that have strengthened the remit of the Injuries Resolution Board. These changes include the establishment of a mediation service as an alternative mechanism to resolve claims, the inclusion of Garda Compensation Scheme claims under its remit, and the creation of a formal research function. Other reforms include the ability to retain more complex injury cases until a stable prognosis is available and the assessment of wholly psychological cases, which were previously resolved through litigation.

Given these significant reforms, the Injuries Resolution Board's Award Values series, of which this report represents the seventh iteration, aims to monitor trends in personal injury claims over time. Previous reports have highlighted the substantial impact of the Guidelines on median and average award values, with the median award value decreasing by 46% in the period directly following the implementation of the Guidelines (April-December 2021) compared to 2020. In subsequent periods, median award values have remained significantly lower than 2020 figures; however, award values have increased, with the median award of €11,650 in 2023 representing a 12% increase on the previous year.

Previous reports have identified several factors influencing this trend, including a significant shift in the types of injuries presenting for assessment. While neck and back injuries previously accounted for the majority of all assessments made by the Injuries Resolution Board, in 2023 these injury types accounted for less than half of awards made.

At the same time, recent legislative changes allowing the Injuries Resolution Board to retain and assess wholly psychological injuries have contributed to a significant increase in awards for psychiatric damage injuries, rising from 5% of awards in 2021 to 12% in 2023. This fundamental shift in the types of injuries being assessed by the Injuries Resolution Board has influenced award values across the periods.

Additionally, the first half of 2024 saw a landmark decision from the Supreme Court in April, upholding the constitutionality of the Personal Injuries Guidelines. This ruling provided certainty regarding the binding nature of the Guidelines and their applicability across settlement channels. It is envisaged that this increased certainty will lead to further engagement with the Injuries Resolution Board, supporting more injured parties in resolving their claims through its impartial assessment and mediation services. Ultimately, this ensures that individuals injured in accidents receive their compensation sooner and without the costs associated with litigation.



Methodological Notes

The Injuries Resolution Board publishes statistics on the median and average values of assessments of compensation made for injuries sustained in road traffic, workplace and public setting accidents, as part of its Award Values Series, which is now in its seventh iteration.

In 2023, the Board introduced a mediation service as an alternative method for resolving personal injury claims. This service was initially offered for Employer Liability claims in December 2023 and later expanded to include Public Liability claims in May 2024 and Motor Liability claims in December 2024.

Despite the successful resolution of claims through the Injuries Resolution Board's new mediation service in the first half of 2024, the sample size of cases was too low during this period to ensure the anonymity of the data and to derive reliable insights. Consequently, these cases have been excluded from the analysis presented in this report.

This report comprises data related to 4,391 assessments of compensation made by the Injuries Resolution Board between the 1st of January and the 30th of June 2024. This analysis excludes fatal cases, which were unaffected by the introduction of the Personal Injuries Guidelines.

Throughout the report, comparisons are made with figures from 2020, the last full-year period prior to the introduction of the Personal Injuries Guidelines. During this period, assessments of compensation were made with reference to the Book of Quantum.

An analysis of awards based on injury types is included in this report. This analysis focuses on the Dominant/ Most Significant injury, as per the Guidelines, and does not include an analysis of secondary injuries. Similarly, the analysis of injury severity included in this report is based on the categorisations described in the Guidelines. It includes injuries classified as minor, moderate, and severe/serious. While this encompasses the most common orthopaedic injuries and psychiatric damage injuries, it excludes less frequently occurring injuries for which severity classifications vary. Despite these limitations, the analysis provides important insights into overall trends in personal injury compensation.

1

Trends in Personal Injury Claim Volumes: January – June 2024

In the first half of 2024, a total of 10,670 personal injury claim applications were submitted to the Injuries Resolution Board, including 428 Garda Compensation Scheme claims which first came under the remit of the Injuries Resolution Board in April 2023. When claim volumes are examined across Motor Liability, Employer Liability and Public Liability claim categories, the number of claims submitted in the first half 2024 is 2% lower than the volume submitted during the same period in 2023.

As shown in **Figure 1**, a comparison of claim volumes in the first half of 2024, with the same period in 2023 found:

- Motor Liability claims increased by 2%.
- Employer Liability claims decreased by 5%.
- Public Liability claims decreased by 8%.

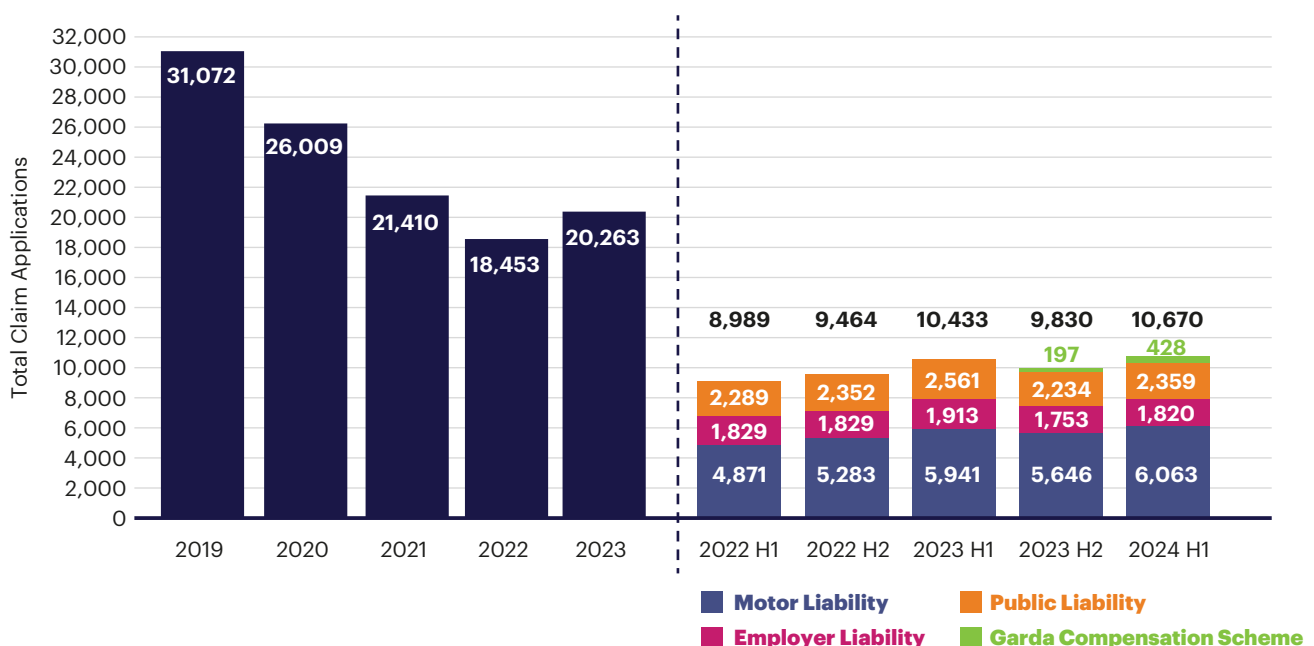
It is important to note that prior to the onset of the Covid-19 pandemic, the number of claim applications submitted to the Injuries Resolution Board remained relatively static, generally exceeding 30,000 claim applications annually. The immediate impact of the pandemic on claim volumes can be seen in Figure 1, with claims volumes decreasing by 16% in 2020 compared to the previous year.

It is important to consider the impact of the Covid-19 pandemic on claim volumes across previous periods. The pandemic led to reduced traffic volumes, fewer people attending workplaces, disruption to trading hours, and reduced footfall among businesses. Consequently, there was a significant reduction in the volume of claim applications submitted to the Injuries Resolution Board from the onset of the pandemic in 2020.

As Claimants generally have two years following an accident to submit a claim application to the Injuries Resolution Board, it was anticipated that claim volumes would gradually recover to prevailing levels as we progressed through the post-pandemic period. However, the data shows that in the first half of 2024, claim volumes remain 39% lower than those submitted in the first six months of 2019.

Figure 1

Volume of claim applications submitted to the Injuries Resolution Board between 2019-2024



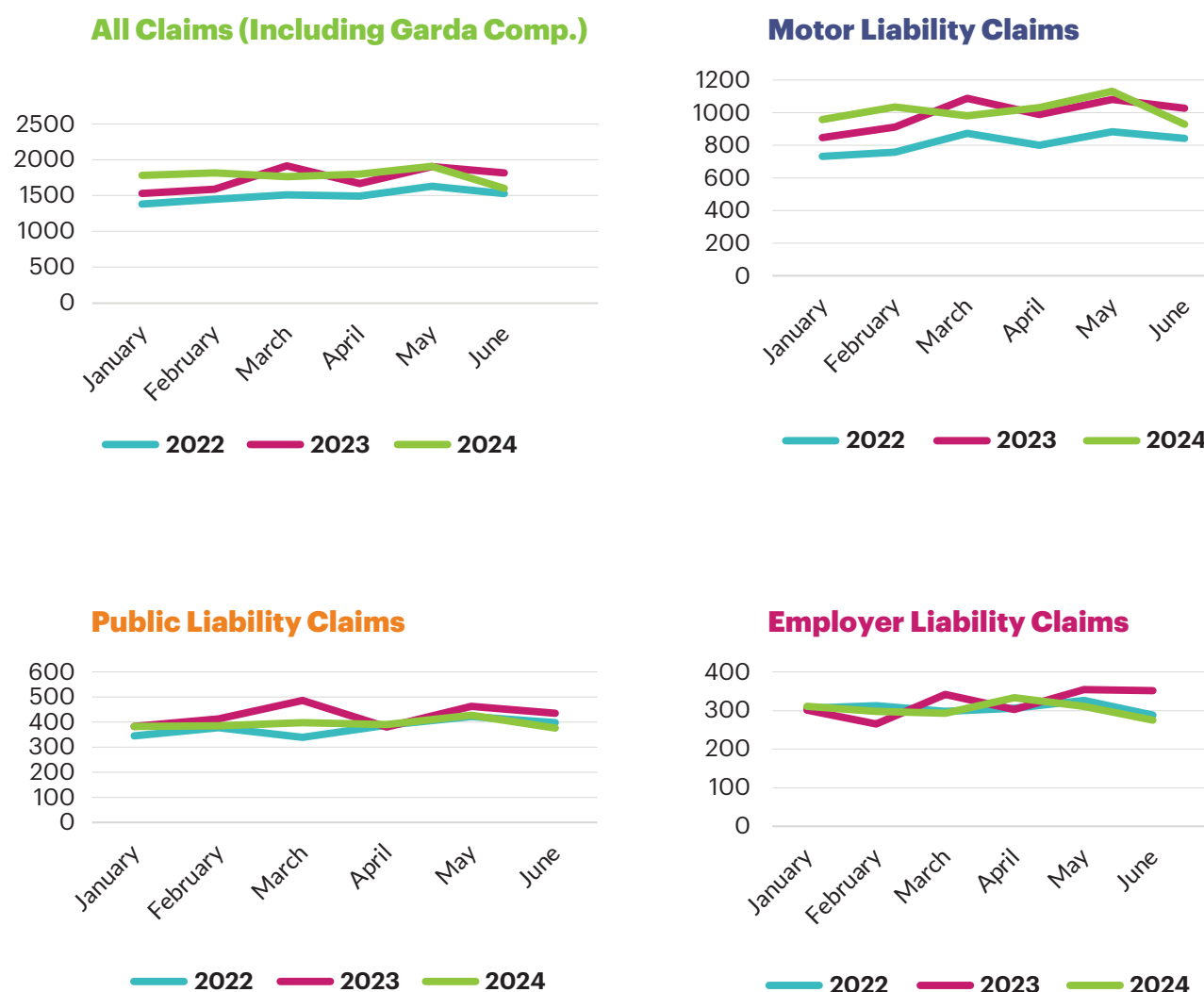
The reduction in claim volumes is most pronounced among Public Liability claims (-45%), followed by Employer Liability claims (-41%) and Motor Liability claims (-35%) when compared to the first half of 2019.

The figures presented in this report provide further evidence suggesting that broader environmental factors, such as the introduction of the Personal Injuries Guidelines, may be driving the ongoing significant reduction in claim volumes. The Guidelines, introduced in April 2021, significantly reduced compensation values for minor severity injuries. The ongoing reduction in claim volumes, coupled with the observed decrease in minor severity injuries being assessed by the Injuries Resolution Board, suggests the introduction of the Guidelines and other reform measures have significantly impacted the personal injury landscape.

Figure 2 describes the number of personal claim applications submitted to the Injuries Resolution Board between January and June across 2024, 2023 and 2022. The data highlights the relative stability in claim volumes across the periods. While Motor Liability claims increased by 2% overall in the first half of 2024 compared to the same period in 2023, Figure 2 highlights that this increase was not consistent across all months with some fluctuations noted. Public Liability claim volumes decreased by 8% across this period, which is evidenced by the lower monthly totals across the first six months of 2024 in comparison to 2023.

Figure 2

The volume of claims submitted to the Injuries Resolution Board between January-June 2024, with comparisons to same period in 2023 and 2022, overall, and by claim categories.






2

Trends in Award Values between January – June 2024

Between the 1st of January and 30th of June 2024, 4,441 assessments of compensation were made by the Injuries Resolution Board. As shown in Table 1, 69% of these awards were for Motor Liability claims, 18% for Public Liability claims, 13% for Employer Liability claims, and approximately 1% for Garda Compensation claims. Notably, the distribution of awards across claim categories remained largely consistent with those in the second half of 2023, showing no significant changes.

Table 1

Breakdown of assessments of compensation made in the first half of 2024.

	 Motor Liability	 Public Liability	 Employer Liability	Garda Compensation
Number of Awards in H1 2024	3054	785	569	33
% of H1 2024 awards	69%	18%	13%	<1%
% of H2 2023 awards	70%	17%	13%	N/A
% of 2022 awards	65%	20%	15%	N/A

Median and Average Award Values in 2024

Table 2 presents the median value and average value of 4,391 assessments of compensation made by the Injuries Resolution Board between January and June 2024, excluding fatal and Garda Compensation Scheme cases, with comparisons to 2020 award statistics—the last full year prior to the implementation of the Personal Injuries Guidelines.




The median award value is included in recent reports and is considered a more robust metric for monitoring trends in award statistics across periods, given its reduced sensitivity to high-value cases compared to average award values.

In the first half of 2024, the median value of awards was €13,000, representing a 29% decrease on the median award of €18,422 in 2020. The significant reduction in median award values was most pronounced among Public Liability cases (-34%), followed by reductions in Motor and Employer Liability awards, which decreased by 30%, respectively.

The average value of assessments of compensation made in the first half of 2024 was €18,722, a 22% decrease from the pre-Guideline average award of €23,877 in 2020. The largest decrease occurred among Motor Liability awards (-23%), followed by Employer Liability (-20%) and Public Liability awards (-19%).

Table 2

Breakdown of **average and median award values** between January and June 2024 v 2020 (excluding fatalities).

	2024 H1 Median	2020 Median	Change (%)	2024 H1 Average	2020 Average	Change (%)
Motor Liability 	€12,500	€17,938	-30%	€17,067	€22,158	-23%
Public Liability 	€13,700	€20,645	-34%	€21,067	€26,000	-19%
Employer Liability 	€16,469	€23,447	-30%	€24,324	€30,576	-20%
Overall	€13,000	€18,422	-29%	€18,722	€23,877	-22%

As shown in **Figure 3**, personal injury compensation significantly reduced by 42% during April-December 2021 following the implementation of the Guidelines. However, average and median award values have increased in subsequent periods. The increase is most pronounced for average award values, with the average award of €18,722 in the first half of 2024 reflecting a 3% increase from the 2023 average award of €18,215.

In contrast, median award values have seen a more substantial increase, rising to €13,000 in the first six months of 2024, a 12% increase from the 2023 median award of €11,602. A detailed analysis of all factors that could potentially influence award statistics across the periods was conducted, with the findings described throughout this report.

Figure 3

Median and Average Award Values between 2020 and H1 2024

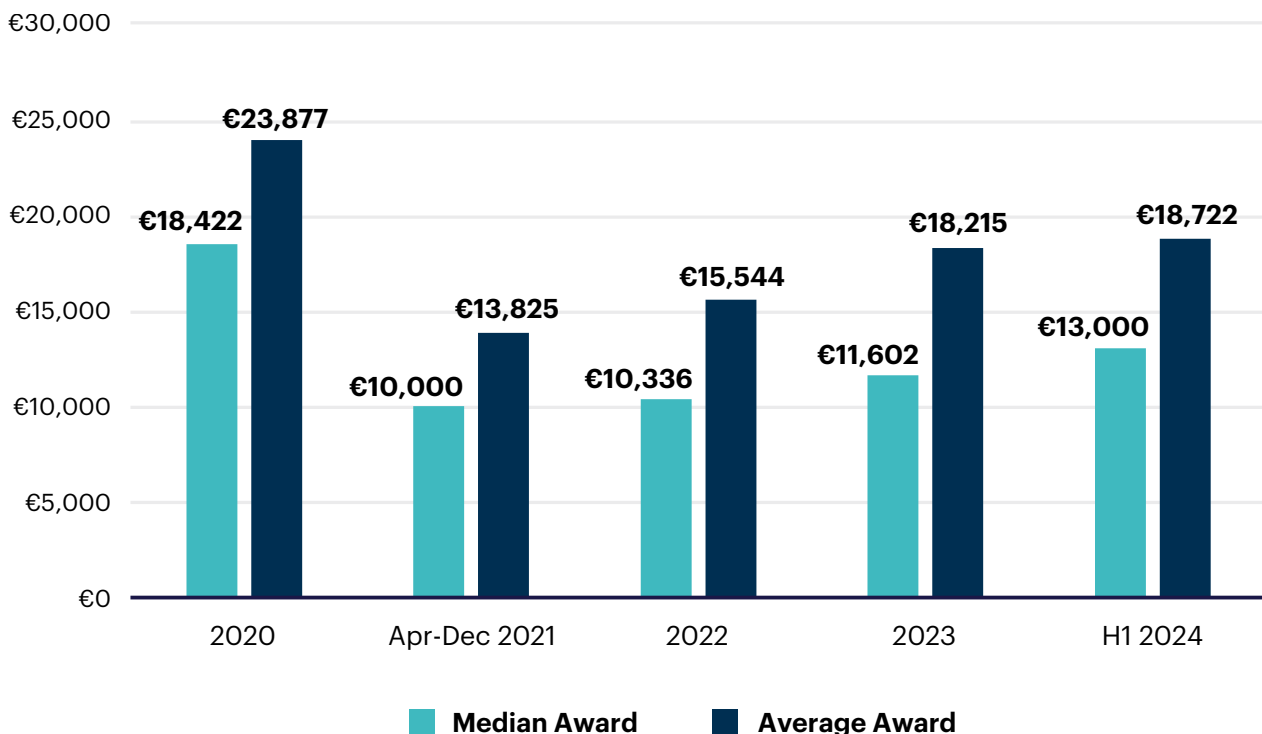





Table 3

Range of Total Award Values between January and June 2024, compared to 2020, based on claim category.

H1 2024 Awards	<€5k	€5k-10k	€10k-15k	€15k-20k	€20k-25k	€25k-50k	≥€50k
% of Employer Liability Awards 	12%	16%	18%	12%	9%	21%	12%
% of Motor Liability Awards 	16%	18%	21%	10%	8%	16%	11%
% of Public Liability Awards 	15%	22%	25%	14%	8%	10%	5%




2020 Awards	<€5k	€5k-10k	€10k-15k	€15k-20k	€20k-25k	€25k-50k	≥€50k
% of Employer Liability Awards 	2%	8%	13%	17%	13%	32%	15%
% of Motor Liability Awards 	2%	8%	20%	31%	14%	20%	5%
% of Public Liability Awards 	5%	10%	14%	17%	12%	30%	12%

Table 3 highlights the ongoing significant impact of the Personal Injuries Guidelines on the distribution of award bands. As shown in **Table 3**, the introduction of the Guidelines significantly shifted the distribution of award values towards lower value bands. The most pronounced impact of the Guidelines can be seen among Public Liability awards, with 37% of awards valued under €10,000 in the first half of 2024, compared to just 15% of Public Liability awards made in 2020. Employer Liability awards have similarly experienced a downward shift, with 28% of awards valued under €10,000 compared to 10% in 2020. Among Motor Liability awards, a redistribution of award values towards the lower and upper awards bands has occurred.

While 34% of Motor Liability awards are now valued under €10,000 compared to just 10% of awards in 2020, the percentage of awards valued over €50,000 has more than doubled, increasing from 5% in 2020 to 11% in 2024. This increase in the proportion of awards valued over €50,000 reflects recent legislative changes which allowed the Injuries Resolution Board to retain more complex injury cases until a stable prognosis becomes available for assessment. This has supported more injured Claimants to resolve their claim through the Injuries Resolution Board, allowing them to receive their compensation sooner and without the high litigation fees associated with settlements made through the litigated channel.

Table 4

Breakdown of **average and median award values** between January and June 2024 v 2023 (excluding fatalities).




	2024 H1 Median	2023 Median	Change (%)	2024 H1 Average	2023 Average	Change (%)
Motor Liability 	€12,500	€10,661	+17%	€17,067	€15,950	+7%
Public Liability 	€13,700	€12,414	+10%	€21,067	€20,396	+3%
Employer Liability 	€16,469	€16,498	0%	€24,324	€26,439	-8%
Overall	€13,000	€11,602	+12%	€18,722	€18,215	+3%

Table 4 compares the average and median award values between the first half of 2024 with figures from 2023, excluding fatalities. Overall, the average award value in the first half of 2024 was €18,722, reflecting a 3% increase on the average award in 2023 of €18,215. The median award value increased to €13,000 in the first half of 2024, marking a 12% increase from the median award of €11,602 in 2023. Further sections of this report will explore factors influencing this increase, including examining the types of injuries assessed and the value of compensation awarded for financial loss or vouched expenditure incurred by Claimants following an accident.

Table 5

Range of Total Award Values between January and June 2024, compared to 2023, 2022 and 2020 figures.

Award value band	<€5k	€5k-10k	€10k-15k	€15-20k	€20k-25k	€25k-50k	≥€50k
% of Jan-Jun 2024 Awards	15%	21%	23%	13%	8%	13%	7%
% of 2023 Awards	20%	22%	20%	12%	7%	11%	8%
% of 2022 Awards	23%	24%	20%	12%	6%	10%	5%
% of Apr-Dec 2021 Awards	20%	29%	23%	11%	5%	8%	4%
Award value category	<€10k		€10k-15k	€15k-20k	≥€20k		
% of 2020 Awards	12%		18%	26%	44%		

Table 5 describes the distribution of assessments of compensation made by the Injuries Resolution Board in the first half of 2024 and compared with previous years. When compared to the distribution of awards in 2020, made with reference to the Book of Quantum, the value of awards made in the first half of 2024 demonstrates the significant impact of the Personal Injuries Guidelines. In 2020, just 30% of awards were valued under €15,000 compared to 59% of awards made in the first half of 2024. Consistent with previous periods, the proportion of awards valued at €50,000 or greater has remained inflated, accounting for 7% of all awards made in the first six months of 2024 compared to just 4% of awards made in the period directly following the implementation of the Guidelines, April-December 2021. Conversely, the proportion of low value awards made under €5,000 has reduced from 20% of awards in 2023 to 15% of awards in the first half of 2024.

Table 6

Highest and Lowest Awards in Jan-Jun 2024 and compared to 2023.




Award category	 Motor Liability	 Public Liability	 Employer Liability	Overall
Highest award Jan-Jun 2024	€222,535	€174,719	€431,744	€431,744
Highest award 2023	€691,392	€209,453	€637,352	€691,392
Lowest award Jan-Jun 2024	€0	€530	€600	€0
Lowest award 2023	€0	€0	€300	€0

Table 6 describes the highest and lowest value awards made by the Injuries Resolution Board in the first half of 2024, with comparisons to 2023 figures. The highest value award made between January and June 2024 was valued at €431,744 and related to a workplace accident in which the worker sustained serious and lifechanging injuries. The highest value Motor Liability award during this period was valued at €222,535 and related to a motor vehicle collision in which the Claimant sustained multiple injuries. In this case, a large component of the award related to hospital charges. The highest value Public Liability award was €174,719 and related to an accident in which the Claimant was hit by an object and sustained serious injuries.

3

General Damages and Special Damages

Personal injury awards consist of two distinct components: General Damages, which provide compensation for pain and suffering, and Special Damages, which cover financial losses. Special Damages reflect direct costs to Claimants, including current and future loss of earnings, vehicle repair costs, treatment costs, and other vouched expenses incurred by the Claimant as a result of an accident. The introduction of the new Personal Injuries Guidelines pertains solely to the award levels for General Damages.

As shown in **Table 7**, the Guidelines continue to significantly impact the average and median values of compensation for General Damages in 2024. Between January and June 2024, the average General Damages award was €16,072 a reduction of 26% on the average General Damages award in 2020. The median award values highlight the sustained impact of the Guidelines, with the median General Damage award of €12,000 in the first half of 2024 representing a 29% decrease on 2020 figures.

Based on median award values, the greatest decrease was among Public Liability claims (-35%), followed by Motor Liability (-31%) and Employer Liability awards (-30%).

Table 7

Breakdown of Average and Median General Damage Awards between Jan-Jun 2024 v 2020.




	 Motor Liability	 Public Liability	 Employer Liability	Overall
Average General Damages Jan-Jun 2024	€14,596	€19,348	€19,432	€16,072
Average General Damages 2020	€20,249	€24,625	€27,051	€21,850
% change in value	-28%	-21%	-28%	-26%
Median General Damages Jan-Jun 2024	€11,000	€13,000	€14,000	€12,000
Median General Damages 2020	€16,000	€20,000	€20,000	€17,000
% change in value	-31%	-35%	-30%	-29%

Table 8

Breakdown of Average and Median General Damage Awards in Jan-Jun 2024 v 2023.







	 Motor Liability	 Public Liability	 Employer Liability	Overall
Average General Damages Jan-Jun 2024	€14,596	€19,348	€19,432	€16,072
Average General Damages 2023	€13,471	€18,679	€20,506	€15,387
% change in value	+8%	+4%	-5%	+4%
Median General Damage Award Jan-Jun 2024	€11,000	€13,000	€14,000	€12,000
Median General Damage Award 2023	€9,000	€12,000	€13,250	€10,000
% change in value	+22%	+8%	+6%	+20%

Table 8 describes the average and median General Damages awards in the first half of 2024, compared to 2023 figures. Overall, the average General Damages award of €16,072 in the first half of 2024 represented a 4% increase from the average value in 2023. This increase was more pronounced for the median General Damages award, which increased by 20% during the same period. The largest increase in General Damages awards was noted for Motor Liability awards, where the average award value increased by 8% and the median award value increased by 22%. As discussed earlier in this report, the first half of 2024 saw a 5% reduction in the proportion of low-value awards made, valued under €5,000, which had a more pronounced impact on the median award value in comparison to the average award value in the first half of 2024.

Table 9

Breakdown of Average and Median Special Damage Awards between Jan-Jun 2024 v 2020.

	 Motor Liability	 Public Liability	 Employer Liability	Overall
Average Special Damages Jan-Jun 2024	€2,471	€1,718	€4,892	€2,650
Average Special Damages 2020	€1,909	€1,375	€3,524	€2,027
% change in value	+29%	+25%	+39%	+31%
Median Special Damages Jan-Jun 2024	€948	€450	€1,161	€850
Median Special Damages 2020	€760	€330	€788	€681
% change in value	+25%	+36%	+47%	+25%

As discussed in previous reports, Special Damage awards have increased significantly across previous periods, driven by inflation affecting common types of expenditure associated with accidents, such as medical treatments, vehicle repairs, and loss of earnings claims. It is also important to consider the increased severity of injuries assessed by the Injuries Resolution Board across recent periods, as more severe injuries are associated with longer duration of absence from work and thus higher loss of earnings claims, in addition to higher treatment costs, all of which contribute to higher Special Damage awards.

As shown in **Table 9**, overall, in the first half of 2024, the average Special Damages award was 31% higher compared to 2020 figures. Despite this significant increase, the data shows that the Special Damages element constitutes a relatively small proportion of the overall value of an award, with a median value of €850 and an average value of €2,650 in the first half of 2024. The Special Damages component of compensation is particularly sensitive to high-value cases, as evidenced by the increase of just 25% in the median Special Damages award during the same period. Employer Liability awards saw the greatest increases in both the average and median Special Damages awards in the first half of 2024 versus 2020, increasing by 39% and 47%, respectively. This is largely due to higher loss of earnings claims among this accident type compared to other claim categories.

Table 10

Breakdown of Special Damages in Jan-Jun 2024 vs 2023.




	 Motor Liability	 Public Liability	 Employer Liability	Overall
Average Special Damages Jan-Jun 2024	€2,471	€1,718	€4,892	€2,650
Average Special Damages 2023	€2,478	€1,717	€5,934	€2,827
% change in value	<1%	<1%	-18%	-6%
Median Special Damages Jan-Jun 2024	€948	€450	€1,161	€850
Median Special Damages 2023	€810	€390	€1,124	€742
% change in value	+17%	+15%	+3%	+15%

Table 10 compares the average and median Special Damages awards in the first half of 2024 to those in 2023. Overall, the average Special Damages award in the first half of 2024 was 6% lower than in 2023, while the median value was 15% higher. It is important to note that although the average and median values of Special Damages awards are generally low compared to the General Damages element, both metrics can be skewed by large awards. For example, a Special Damages award exceeding €360,000 was made in the first half of 2024.

4

Injury Analysis

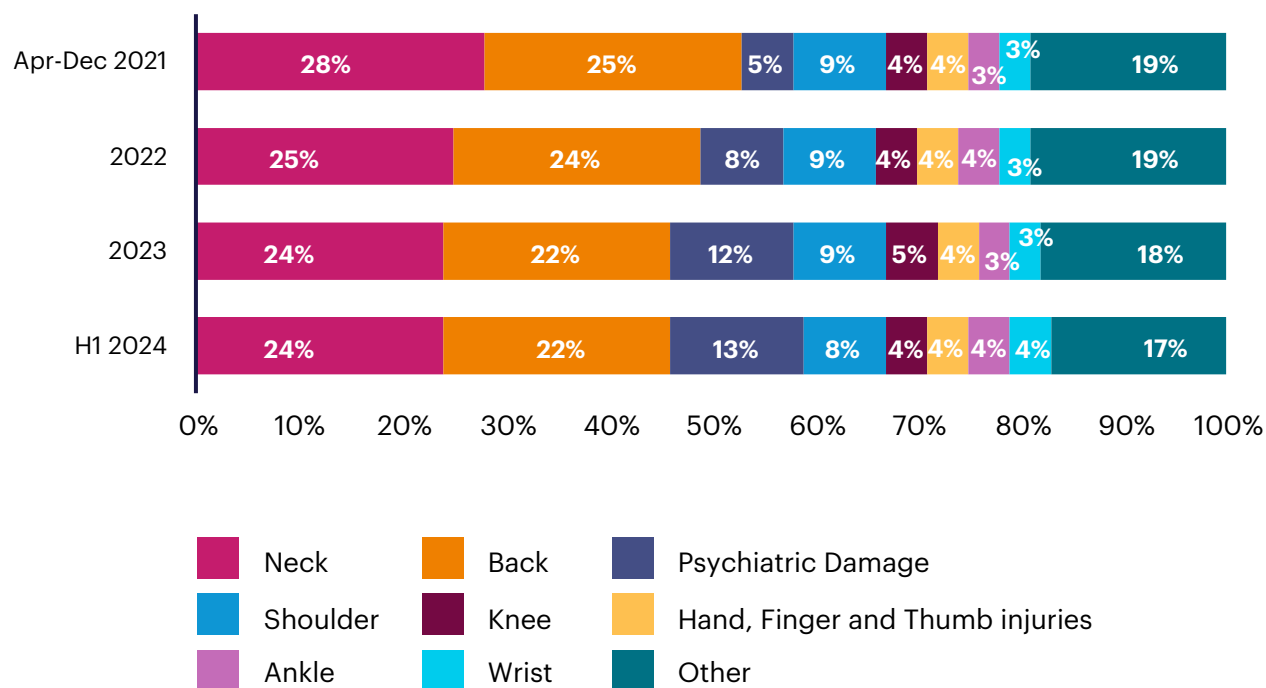
Award value statistics are influenced by the nature and severity of the injuries assessed. Any variations in the type or severity of injuries presenting for assessment to the Injuries Resolution Board will consequently affect the compensation awarded for each case.

The introduction of the Guidelines in April 2021 led to a significant reduction in compensation for some injury types, including soft tissue injuries, such as minor severity neck and back injuries, which are commonly sustained in minor road traffic accidents and previously made up nearly half of all claims assessed by the Injuries Resolution Board. For other types of injuries, the compensation amounts either increased or remained the same with the new Guidelines, compared to the Book of Quantum.

The Guidelines offer a comprehensive guide on the appropriate compensation ranges for the most frequently sustained injury types, including specific compensation brackets based on the severity of the injury. According to the Guidelines, when determining the appropriate compensation level, the Injuries Resolution Board considers the Dominant/Most Significant injury sustained, with additional compensation provided for cases involving multiple injuries. The following section, which outlines the most common types of injuries sustained, focuses solely on the Dominant/Most Significant injury.

Figure 4

Most common Dominant/ Most Significant Injury Types for awards made under the Guidelines in the first half of 2024, 2023, 2022 and April-December 2021.



As shown in **Figure 4**, recent legislative changes enabling the Injuries Resolution Board to retain and assess wholly psychological injuries has significantly influenced the profile of injuries being assessed by the Board. In the period immediately following the implementation of the Guidelines (April to December 2021), just 5% of awards involved cases where psychiatric damage was the Dominant/Most Significant injury. This proportion has steadily increased over subsequent periods, reaching 13% of all awards in the first half of 2024. The slight increase in the proportion of psychiatric damage awards in the first half of 2024 compared to 2023 (+1%) suggests that this trend has stabilised. Additionally, while the proportion of awards for neck and back injuries has gradually decreased over previous periods, reducing from 53% in 2021 to 46% in 2023, no further reduction was observed in the first six months of 2024, remaining steady at 46% of all awards made.

Table 11

Most common Dominant/ Most Significant Injury Types based on Claim Category in the first half of 2024.

 Motor Liability	 Employer Liability	 Public Liability
Neck (33%)	Hand, finger and thumb injuries (17%)	Ankle (12%)
Back (26%)	Back (16%)	Back (10%)
Psychiatric Damage (15%)	Shoulder (8%)	Shoulder (9%)
Shoulder (9%)	Knee (6%)	Wrist (8%)
Knee (3%)	Psychiatric Damage (7%)	Knee (8%)

Motor Liability Awards

In comparison to the second half of 2023, the first six months of 2024 saw a slight decrease in the proportion of Motor Liability awards made for back injuries (-2%), and a 1% increase in awards made for psychiatric damage and neck injuries, respectively.

Employer Liability Awards

In comparison to the second half of 2023, the first six months of 2024 saw a 1% decrease in the proportion of Employer Liability awards made for hand, finger and thumb injuries, while awards made for knee injuries increased by 1%.

Public Liability Awards

Among Public Liability awards made in the first half of 2024 in comparison to the latter half of 2023, awards made for wrist injuries had a higher frequency than knee injuries. Awards made for ankle injuries increased by 1%, while the prevalence of other common injury types remained unchanged.

The Severity of Injuries Assessed in the first half of 2024

One of the primary factors influencing award value statistics is the severity of injuries assessed within a given period. Although it is difficult to track changes in severity across all injury types due to categorisation differences across injury types in the Guidelines, it is possible to analyse the proportion of injuries classified as minor, moderate, or serious/severe for the seven most common injury types. These include ankle, back, knee, neck, psychiatric damage, shoulder, and wrist injuries, which accounted for 78% of all awards in the first half of 2024, giving an indication of overall injury severity trends.

The Guidelines set out appropriate compensation ranges for common injury types, with higher award ranges corresponding to more severe injuries. For example, minor severity orthopaedic injuries typically involve soft tissue injuries with substantial recovery within a maximum of five years. Moderate severity orthopaedic injuries often involve fractures causing considerable pain and discomfort. Severe and serious orthopaedic injuries include those causing severe pain and discomfort, potentially leading to impairments in the ability to perform tasks independently.

The Guidelines consider several factors when determining the severity of an injury, including the extent of required treatments and the expected prognosis.

Consequently, any changes in the severity of injuries assessed will impact the overall average and median award values for that period. This sub-analysis aims to provide greater insights into how personal injuries have evolved since the introduction of the Guidelines in April 2021.

As shown in **Table 12**, the proportion of awards made by the Injuries Resolution Board for minor severity injuries has steadily decreased since the introduction of the Guidelines in April 2021. In the period directly following the introduction of the Guidelines (April-December 2021), 86% of awards made among the most common injury types related to cases where the dominant/most significant injury was of minor severity, falling within the lower value award ranges. Since then, the proportion of minor severity injuries has decreased to 76% of awards in the second half of 2023, before increasing slightly to 78% in the first half of 2024. Additionally, the proportion of awards made for moderate severity injuries has increased, from 13% of awards in 2021 to 19% of awards made in the first half of 2024. While the proportion of awards made for severe/serious injuries is also higher in 2024 than 2021 and 2022 (+1%), this has decreased in comparison to the second half of 2023 (-2%).

Table 12

The severity classification of the most common injury types assessed between 2024-2021*.

Injury Severity	Minor Severity	Moderate Severity	Severe/ Serious
H1 2024	78%	19%	3%
H2 2023	76%	19%	5%
H1 2023*	80%	18%	3%
2022	82%	16%	2%
Apr-Dec 2021*	86%	13%	2%

*Values may not sum to 100% due to rounding.

Minor Neck and Back Injuries: Substantial Recovery Periods

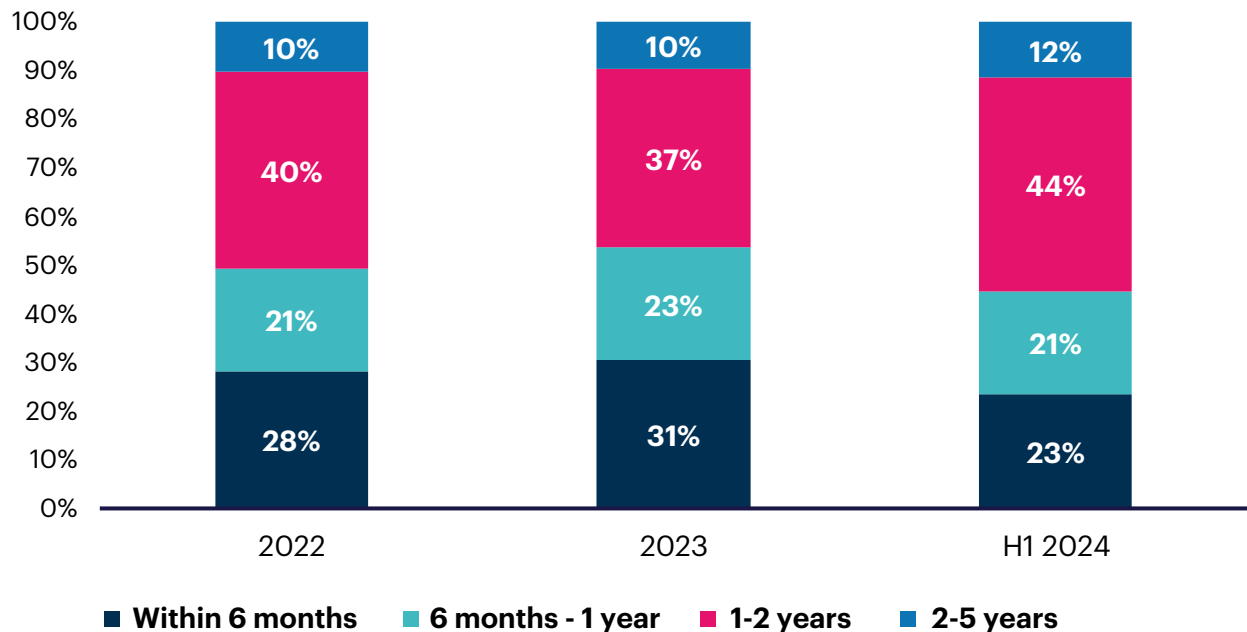
In the first six months of 2024, neck and back injuries accounted for 46% of all awards made by the Injuries Resolution Board, of which 88% were classified as minor severity. As per the Personal Injuries Guidelines, compensation for minor neck and back injuries is determined with reference to the time taken by the injured Claimant to substantially recover. For minor neck injuries, awards range from €500 to €12,000, depending on whether the recovery period is less than six months or up to two years. Similarly, minor back injuries can receive compensation from €500 to €20,000, based on the time taken or expected to substantially recover, which can range from a number of months to five years. Any variation in the time taken or expected to substantially recover for neck and back injuries assessed by the Board will influence award statistics for that period.

In the first half of 2024, both median and average award values have increased compared to 2023. An analysis of the type and severity of injuries assessed shows little variation across these periods. To better understand the factors contributing to this increase in award values, an analysis of minor severity neck and back injuries, which accounted for 40% of all awards made in the first half of 2024, was undertaken.

As shown in Figure 5, the analysis identified significant changes in the substantial recovery periods for minor neck and back injuries over the periods. In 2022 and 2023, 28% and 31% of minor neck and back injuries had a substantial recovery period within six months, respectively, compared to 23% in the first half of 2024. Additionally, there has been an increase in minor severity neck and back injuries with substantial recovery periods of between one to two years, rising to 44% from 37% in 2023. Among minor severity back injuries, the proportion of awards with substantial recovery periods of two to five years has increased from 10% in 2022 and 2023 to 12% in the first half of 2024. The findings highlight significant changes in substantial recovery periods for minor severity neck and back injuries and their impact on award values in the first half of 2024.

Figure 5

Substantial recovery period for minor severity neck and back injuries assessed by the Injuries Resolution Board between 2022 and the first half of 2024.

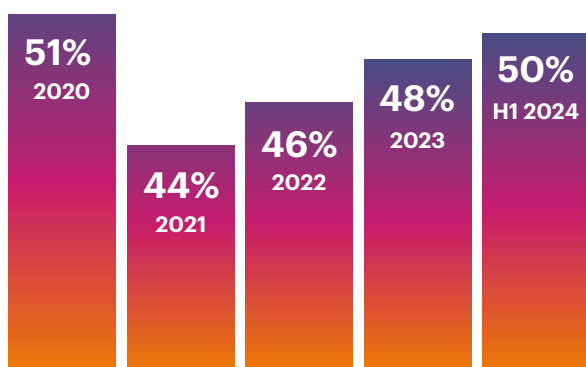


5

Acceptance Rates in the first half of 2024

When an assessment of compensation is issued to each party, the Claimant has 28 days to indicate whether they accept or reject the award, while the Respondent(s)/insurer has 21 days to respond. If both parties accept the award, the Injuries Resolution Board issues an Order to Pay, instructing the Respondent(s) to pay the Claimant the awarded amount. If the award is rejected, the Injuries Resolution Board releases the case, allowing the Claimant to pursue litigation if they choose.

Acceptance Rate



It is important to note that this acceptance rate pertains solely to the Board's assessment service and does not include cases successfully resolved through the new mediation service. As the mediation service completes its roll-out, expanding to Motor Liability claims in December 2024, the number of cases resolved through this service is expected to increase, providing a sufficiently large sample size to produce reliable statistics. Early indications, however, suggest that the mediation service has a resolution rate similar to that of the Board's existing assessment service.

In the first half of 2024, the acceptance rate has continued to increase since reaching its lowest levels at 44% in 2021, which corresponded with the introduction of the Guidelines that year. In the first half of 2024, 50% of awards were accepted by both the Claimant and the Respondent, an increase of 2% compared to 2023. Encouragingly, the acceptance rate reached a high of 53% in June 2024, suggesting that the recent Supreme Court judgment in April 2024, which upheld the Personal Injuries Guidelines as legally binding and constitutional, has promoted further engagement with the Injuries Resolution Board.

6

Conclusion – Trends in Claim Volumes and Award Values in the first half of 2024

Claim Volumes

In the first half of 2024, the Injuries Resolution Board received a total of 10,670 personal injury claim applications, including Garda Compensation Scheme claims, which first came under the Board's remit in April 2023. When examining claim volumes across Motor Liability, Employer Liability, and Public Liability categories, there was a 2% decrease in the number of claims submitted compared to the first half of 2023. Specifically, Motor Liability claims increased by 2%, while Employer Liability and Public Liability claims decreased by 5% and 8%, respectively. Prior to the Covid-19 pandemic, claim volumes remained relatively stable, generally exceeding 30,000 applications annually. However, the pandemic led to a significant reduction in claim volumes due to reduced traffic, fewer workplace attendances, and decreased business footfall. Although it was anticipated that claim volumes would recover post-pandemic, data from the first half of 2024 shows a 39% decrease compared to the same period in 2019. This reduction is most pronounced in Public Liability claims (-45%), followed by Employer Liability (-41%) and Motor Liability (-35%). The ongoing decline in claim volumes may also be influenced by the introduction of the Personal Injuries Guidelines in April 2021, which significantly reduced compensation values for minor injuries.

Trends in Award Values

In the first half of 2024, the Injuries Resolution Board made assessments of compensation for 4,391 personal injury claims, excluding fatal cases and Garda Compensation Scheme claims. Compared to 2020, the median award value decreased by 29%, from €18,422 to €13,000, with the most significant reduction observed in Public Liability cases (-34%). The average award value also saw a decline, decreasing by 22% from €23,877 in 2020 to €18,722 in the first half of 2024. This trend reflects the impact of the Personal Injuries Guidelines introduced in April 2021, which shifted award values towards lower bands. This impact can be clearly seen among claim categories, with 37% of Public Liability awards made in the first half of 2024 valued under €10,000, compared to just 15% of awards in 2020. Similarly, Motor Liability awards showed a redistribution, with 34% of awards now valued under €10,000, compared to just 10% of award in 2020. At the same time, the proportion of Motor Liability awards valued over €50,000 more than doubled from 5% in 2020 to 11% in the first half of 2024. This shift is due in part to legislative changes allowing the Board to retain and assess more complex cases, ultimately supporting individuals who sustain severe and lifechanging injuries to receive compensation sooner and with lower fees than through the litigation channel.

Factors influencing Award Values

The value of awards is influenced by the nature and severity of the injuries assessed. Variations in the type or severity of injuries presented to the Injuries Resolution Board directly affect the compensation awarded. The introduction of the Personal Injuries Guidelines in April 2021 led to a notable reduction in compensation for certain injury types, particularly minor severity soft tissue injuries, such as neck and back injuries, which were commonly sustained in minor road traffic accidents and previously constituted nearly half of all claims assessed. Recent legislative changes allowing the Board to assess wholly psychological injuries have also influenced the injury profile, with psychiatric damage cases increasing from 5% of awards in 2021 to 13% of awards made in the first half of 2024. The slight increase in the proportion of psychiatric damage awards in the first half of 2024 compared to 2023 (+1%) suggests that this trend has now stabilised.

Additionally, the severity of injuries assessed, categorised as minor, moderate, or serious/severe, further impacts award values, with more severe injuries receiving higher values of compensation. In the first half of 2024, the proportion of awards made for moderate to severe injuries has increased from 15% of awards made between April to December 2021 to 22% of awards made in the first half of 2024. The analysis highlights the evolving nature of personal injury claims and the factors driving changes in award values since the implementation of the Guidelines.

Conclusion

The first half of 2024 has seen several positive developments for the Injuries Resolution Board, including a steady consent rate of 71%, the highest rate since the Board's establishment in 2004. Additionally, the acceptance rate increased to 50%, up from 44% in 2021, and reaching 53% in June 2024. This positive trend follows the recent Supreme Court judgment in April 2024, which upheld the Personal Injuries Guidelines as legally binding and constitutional.

Overall, the continued significant reduction in claim volumes and award values, coupled with more cases being resolved through the Board's assessment service and the completed roll-out of mediation services as an alternative method to resolve claims, has and should continue to result in more claims being resolved through the Board's low-cost and non-adversarial model. Ultimately, this will support more individuals injured in accidents to receive their compensation sooner, with significant savings in litigation fees.



BORD UM RÉITEACH DÍOBHÁLACHA PEARSANTA
PERSONAL INJURIES RESOLUTION BOARD

 research@injuries.ie

 www.injuries.ie