



Resolving Personal Injury Claims for the Benefit of Everyone

Annual Report 2023

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Chairperson's Foreword



I am pleased to present the 2023 Annual Report of the Injuries Resolution Board, my last report as Chairperson of the Board. This report highlights the significant progress that has been made in insurance reform in the last number of years and the important contribution that the Injuries Resolution Board has made to this progress. 2023 in particular has been a transformative year for the organisation, seeing the most significant change to our services since we were established with a change to our name from the Personal Injuries Assessment Board to the Injuries Resolution Board and the introduction of mediation services.

Mediation enables us to enhance and expand our non-adversarial services so that we can do more to support the resolution of claims without the need for costly and lengthy litigation. The launch of our mediation service gives another option to parties to resolve their claim. This natural first step in the process places an emphasis on collaboration and compromise, where there is nothing to lose, but substantial gains to be made, by engaging. It also marks the evolution of the whole personal injuries process in line with global trends. Mediation was introduced as a service for employer liability claims at the end of the year and is being rolled out to the other categories of claims over the course of 2024. The value that the Injuries Resolution Board can bring not only to parties making a claim, but to policy holders and society, is demonstrated in the amount that is saved by avoided costs from litigation through our work. In 2023, the Injuries Resolution Board's work directly generated €75 million in avoided litigation costs. Therefore, if we can get more claims resolved within our system this is of significant benefit to everyone, and the potential is huge to make systemic difference to claim costs in Ireland while still ensuring a fair system of compensation for those affected by accidents that have occurred through no fault of their own.

2023 was a year of significant strategic expansion for the Injuries Resolution Board not just because of the introduction of mediation, but it was a year that saw the Garda Compensation Scheme coming within the remit of the Board and the Board taking on a new research function. These developments are important and show the value and expertise of the organisation can be harnessed to deliver more. Garda compensation claims coming within our remit means these cases are no longer required to go to court, meaning Gardaí injured as a result of a malicious incident will no longer have to wait years for resolution to their claim and the costs associated with these claims will be much reduced as there should be far less litigation costs. Our new research function seeks to use the very valuable data that we have on claims in Ireland and bring more transparency to the personal injuries landscape, which supports both competition in the market and prevention of accidents. These new services show an innovative approach to personal injuries resolution that delivers for both claimants and respondents, whilst also delivering for society. The organisation is ready to expand pathways to resolution wherever we can and where our impartiality, and expertise can add value.



We are at a critical juncture where a suite of reforms have been delivered. We must ensure that the guidelines are supported through every settlement channel, that structures are put in place to give mediation a chance to succeed and data is utilised to inform decision making.



These reforms have been too hard fought for, for their benefits and successes not to reach the pockets of the Irish consumer. In this context, it is of vital importance that stakeholders with the most direct consumer facing impact, such as the insurance sector, fully commit to ensuring the objectives of this sectoral reform are fully realised.

Reflecting on the broader Insurance Reform programme, 2023 was the second full year of the implementation of the Personal Injuries Guidelines. It is clear to see that there is lasting and significant change as a result of the introduction of the Guidelines, with median awards declining by 37% from €18,459 before the Guidelines to €11,650 in 2023. Such significant change takes time to stabilise, and one of the other significant developments of 2023 was the continued increase in our acceptance rates for awards of compensation, with the acceptance rate for the year rising from 44% in 2022 to 48% in 2023. The year also saw progression of some legal challenges arising from the implementation of the guidelines. These judgments are welcomed as they bring clarity and certainty to the use of the Guidelines.

As I conclude my time as the Chairperson, I wanted to take an opportunity to reflect on some of the key developments that have come to fruition during my time with the Board. Since my appointment, there has been a significant focus on what we can do in Ireland to address the cost and stability of insurance to ensure we are competitive as a country and have all the services we need. Both businesses and individuals have struggled with the cost and availability of insurance. A large part of this focus has been on improving the personal injury claims environment, with significant reports and outputs in the form of recommendations from both the Cost of Insurance Working Group established in 2016, and the Personal Injuries Commission established in 2017. Many of the recommendations from these reports have now been implemented, the Personal Injuries Guidelines have been developed and implemented, reform of the Duty of Care legislation has been introduced, the National Claim Information Database has been established with regular reporting from the central Bank of Ireland to increase transparency and data in this area. This year the Injuries Resolution Board has extended and expanded our remit as part of our commitment to reform.

With all stakeholders involved and working together to develop these reforms, it is incumbent on us all, now that they have been delivered, to do our best to make them work. These changes represent considerable progress, and while there will always be a requirement for more change and evolution, we all have a responsibility to work with the reforms that have been brought in.

We are at a critical juncture where a suite of reforms have been delivered and we must ensure that the Guidelines are supported through every settlement channel, that structures are put in place to give mediation a chance to succeed and data is utilised to inform decision making. It has taken a long time to get to this point and the objectives of consistency, certainty and transparency for awards will not be met if they are not shared by all stakeholders within the system.

While there is no silver bullet or quick fix, these reforms have been too hard fought for, for their benefits and successes not to reach the pockets of the Irish consumer. In this context, it is of vital importance that stakeholders with the most direct consumer facing impact, such as the insurance sector, fully commit to ensuring the objectives of this sectoral reform are fully realised. It is imperative that the savings generated from these reforms be passed onto every policyholder in the country so that individuals, small businesses, community groups, childcare and leisure facilities and every single sector in the country can thrive.

To conclude, I would like to take this opportunity to thank Minister Dara Calleary TD and his colleagues in the Department of Enterprise, Trade, and Employment for their ongoing support, their approach to working with us as true partners and for delivering the legislation that have enabled the Injuries Resolution Board in this new chapter.

I wish also to commend the work of the staff team at the Injuries Resolution Board, led by the Chief Executive, Rosalind Carroll. They are the underpinning force for all the achievements in this report and the success of the Injuries Resolution Board to date. I look forward to the developments that are sure to follow in the coming years.

Finally, I wish to express my gratitude to my fellow Board members, and all those that I have worked with throughout my tenure, for their support, commitment and professionalism.

Dermot Divilly
Chairperson

July 2024

Chief Executive's Review



2023 was another busy and momentous year for the Injuries Resolution Board with a significant expansion to our services to include the provision of mediation and a rebranding and name change to reflect this development. We also assessed claims to value of €170 million during the year demonstrating the scale and significance of the service we offer. 2023 also saw the number of parties - be they claimants, businesses or insurers - grow and numbers of claims being resolved also growing, meaning less cases entering into the litigation system.

2023 marked 20 years since the introduction of the legislation that established our organisation and our commitment to deliver for claimants and respondents has only grown. 20,263 claim applications were made to the Injuries Resolution Board in 2023, this is an increase of 10% on 2022 figures, and is in line with a gradual increase in claims we expected to see.

There are two particular trends worth noting in this context. The first is that while there was an increase in claims in 2023, this was primarily driven by an increase in motor liability claims - up 14%, while we have seen relative stability in both employer liability and public liability claims - up only 1% and 3% respectively. The second key point to note is that total claim volumes remain 35% lower than in 2019. The claims environment is very different than before the pandemic, and while the claim volumes are seeing some growth now, the level of growth remains relatively low. There is also some evidence to suggest that claims in relation to more minor injuries with shorter recovery periods are declining as a proportion of our claims since the Personal Injuries Guidelines were introduced.

It is important therefore when looking at changes in claims values in Ireland to not just focus on average award value but the 38% decline in total award values; €105 million less than it was in 2019.

2023 also saw our acceptance rate for our assessments of compensation rise to 48%, the highest it has been since the Guidelines were introduced and it continues to grow. 2023 also saw the highest consent rate since the establishment of the Injuries Resolution Board in 2004. The consent rate represents the percentage of respondents, typically insurers, who agree for the Board to assess a Claim. The significance of the growth in both our acceptance and consents rates means that more cases are now being resolved with the Board and are not entering the litigation system which can significantly increase the cost and time associated with the resolution of claims.

In 2023, the Personal Injuries Assessment Board Act 2022 was commenced in three phases, paving the way for a variety of expansions within our service as we enter this next phase of development.



It is important when looking at changes in claims values in Ireland to not just focus on average award value but the decline in total award values which is some 38%, €105 million less than it was in 2019.



The significance of the growth in both our acceptance and consents rates means that **more cases are now being resolved with the Board and are not entering the litigation system**, which can significantly increase the cost and time associated with the resolution of claims.

One such expansion was the introduction of a mediation service as part of the claims process. The mediation team has been hard at work throughout 2023 to bring this service to fruition, beginning with employer liability claims in 2023 and with motor liability and public liability claims to follow in 2024. The development of the Research and Policy unit has been another such expansion with four reports published this year in areas such as motor liability claims and adverse weather warnings, and analysis of employer liability claims and awards.

Another legislative highlight in 2023 was the commencement of The Garda Síochána (Compensation) Act 2022, bringing Garda compensation claims under the remit of the Injuries Resolution Board. This aims to reduce the length of time it takes for Garda members, or their dependants in the case of the death of a member, to have their application for compensation dealt with from initial application through to award by providing for clear time limits in relation to each stage of the process.

In 2023, as part of phase two of the commencement of the Personal Injuries Assessment Board Act 2022, we set out to enhance our application process to both improve the customer experience and to provide key structural improvements in areas such as the introduction of anti-fraud measures and the ability to collate further data and incorporate this into our overall research.

At the Injuries Resolution Board, we are continuously looking at ways to improve our operations to best serve our customers. One key aspect of this commitment is the substantial investment in the digital development of our services which signifies the biggest infrastructural investment in our history. This ongoing piece of work is empowering the organisation to enhance all aspects of our work and ultimately better serve claimants, respondents, and the wider Irish public.

Separately this year we undertook a survey with our customers to hear directly from them, about their experiences engaging with the service to incorporate their first-hand experiences into our plans for service delivery.

In 2023, the Injuries Resolution Board continued with public information campaigns in relation to personal injuries claims. As a public sector body, public information and empowerment through raising awareness of our services is a top priority. Throughout 2023, the Injuries Resolution Board engaged a variety of communications channels, including the use of digital and social media, broadcast and print advertising to ensure that information could be shared as widely as possible with the general public.

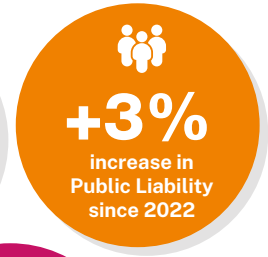
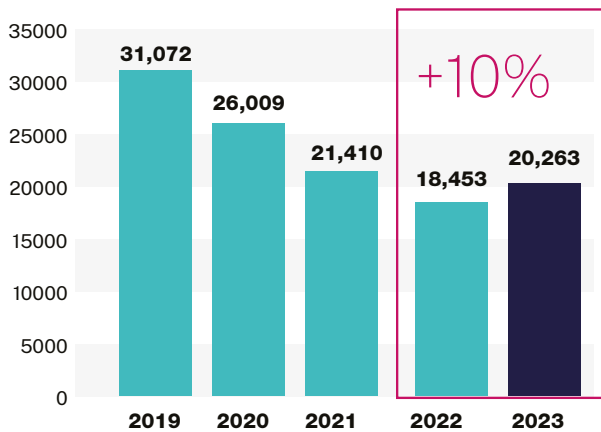
Finally, I would like to express my sincere thanks to the staff team at the Injuries Resolution Board for their dedication to delivering our crucial public service. I would also like to acknowledge the role of the Board in providing their strategic guidance and oversight in developing our service provision throughout 2023 and into the future. In particular, I want to thank our outgoing Chair, Dermot Divilly who will have provided 10 years' service to the organisation at the end of his term, which is a huge contribution to make to the delivery of public services in Ireland and one which has contributed significantly to the reform of the claims environment in Ireland and has shaped the future of our organisation.

Rosalind Carroll
Chief Executive

July 2024

20,263

Claims submitted in 2023



While claims were **10% higher in 2023**, total volumes **remain 35% lower than 2019 levels**

First Garda Compensation Scheme Claims Submitted

215

April-December 2023

New Mediation Service

Launched in December 2023

New Research & Policy Function

4

Research Reports

9,144

Assessments of compensation made in 2023

Motor Liability Awards

6,230

Public Liability Awards

1,629

Employer Liability Awards

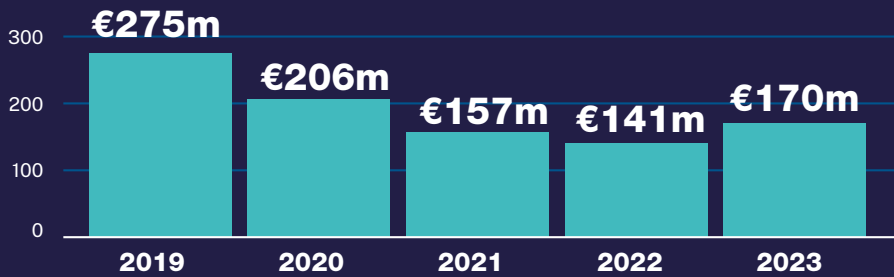
1,285

Award Values in 2023

	Average Award Value	% drop in value on 2020	Median Award Value	% drop in value on 2020
Motor Liability	€16,180	-28%	€10,692	-41%
Public Liability	€20,396	-22%	€12,414	-40%
Employer Liability	€27,610	-10%	€16,531	-29%
Overall award	€18,537	-23%	€11,650	-37%

Lower than 2020 award, assessed under the Book of Quantum

Total Award Values



The total value of awards in 2023 was €105 million lower than the value in 2019 (38% lower)



Increased consent and acceptance rates mean more claims were retained and resolved by the Injuries Resolution Board in 2023

€691k

Highest award made in 2023

Up from 655k in 2022

Consent rate

The % Respondents consenting to assessment

55%
2020

60%
2021

70%
2022

71%
2023

2023 saw the highest consent rate since the establishment of the Injuries Resolution Board and the highest acceptance rate since the Guidelines were introduced

Acceptance rate

The % Assessments which were accepted by both the Claimant and Respondent

51%
2020

44%
2021

44%
2022

48%
2023

€75m

Saved in avoided costs by the Injuries Resolution Board due to claims not proceeding to litigation in 2023



46%

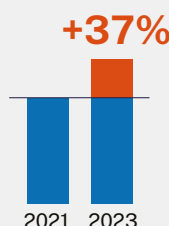
of awards made were assessed within 9 months

Claims for Fatal Accidents

2021
84

2022
96

2023
115



11.3 months

Average timeline to assess a claim in 2023

1

Enhancing and Diversifying our Services

New legislation underpins the enhancement and diversification of our services

The Injuries Resolution Board has worked closely with the Department of Enterprise, Trade and Employment over the last number of years on developing measures that would enhance our services; with the goal of increasing the number of personal injury claims settled within the Board and to reduce the expense and time associated with personal injuries litigation. This culminated in the provision of new legislation, the Personal Injuries Resolution Board Act 2022, which was enacted at the end of 2022. The legislation was commenced over 3 phases throughout 2023 introducing key changes to how we work and the services we provide. This legislation provides key opportunities for the Injuries Resolution Board to build on almost 20 years of trusted expertise in the assessment of personal injuries claims, to expand our services and use this expertise to resolve more claims. The most significant change as a result of this legislation, is the introduction of mediation services which enables us to offer mediation as a forum of resolving claims and enables us to deal with a much broader range of issues such as liability rather than just the quantum of compensation.

The legislation has brought in other key changes including a new research function for the Board so that we can bring transparency to personal injuries claims and in doing so, support competition in the insurance sector and also enable monitoring of the impacts of reform measures as well as using data to reduce and prevent accidents. The legislation also introduced a number of anti-fraud measures which included the introduction of a more robust application process. In addition to the above legislation, the Garda Síochána (Compensation) Act 2022 was commenced in 2023, enabling the Board for the first time to assess these claims which previously all had to be heard in the High Court. Taken together these changes show a real and tangible difference to the services the Board is providing and demonstrate that we are moving towards an increasingly innovative approach in claims resolution.

THE KEY CHANGES :

Courts to impose costs if Injuries Resolution Board award not exceeded

Conduct and commission research & collect and publish data



New application Requirements
New anti-fraud Measures

Mediation introduced as a new service



Name change
Personal Injuries Resolution Board



Phased Commencement of the Personal Injuries Resolution Board Act 2022

Phase 1 of the Act commenced on February 13th, 2023. This phase included provisions that allowed for more claims to be retained by the Board and it extended the functions of the Injuries Resolution Board to conduct and commission research. This phase also included provisions for the courts to impose costs if the Injuries Resolution Board award was not exceeded. These are important new measures, the focus on research and data is recognition of the fact that the Board has extensive data that can be used to bring transparency to claims in Ireland which was a key recommendation of the Personal Injuries Commission.

Phase 2 commenced on the 4th of September 2023 and saw the introduction of anti-fraud measures and new application form requirements. This included a requirement for a claimant to provide their PPSN, and to sign the application form to verify that the information is correct even where they have legal representation.

These changes were introduced following consultation with the Gardai to enable prosecution if there is any fraud. In addition, applicants must provide an accompanying medical report for their application form to be deemed complete and the Statute of Limitations stopped. This supports timelier processing of claims and enables respondents to decide on whether they consent to the Board assessing or mediating a claim.

The final phase of the Act, Phase 3 commenced on the 14th of December 2023 and saw the introduction of mediation as a new service and a move from claim assessment to claim resolution. This change was underpinned by our name change, moving from the Personal Injuries Assessment Board to the Injuries Resolution Board. The introduction of mediation marks a significant milestone in the development of the Board and the claims environment in Ireland.


The new name is a reflection of our focus on the outcome of the claim, the aim of which is resolution for all parties, reducing the time, costs, and stress associated with the claim.



Injuries Resolution Board Application Form

May 2024 Version 1.2

INJURIES
RESOLUTION
BOARD



Please use **BLOCK CAPITALS** to fill in this form.

For this application to be deemed complete by the Injuries Resolution Board, it must include the following:

- All mandatory fields marked with an * must be completed
- Claimant Declaration as set out in Section 13 must be signed by the claimant
- The application form must be accompanied by a medical report which has been prepared by a medical practitioner and sets out the personal injuries allegedly sustained by the claimant in the accident or incident detailed in this application.
- Payment of our processing fee of €90

Guidance notes to support with the completion of this form are available at the forms and guides section of our [website](#).

Section 1: Claimant Details – Injured Party

Name:

*Home Address:

Eircode: *Mobile Number:

Landline Number: Don't have a contact phone number: ☐

Email Address:

Occupation:

Gender: ☐ Male ☐ Female

*Date of Birth: / / **PPS Number:**

* This should be consistent with Personal Public Service Number (PPSN) record.

** In cases where a PPSN has never been issued to you, other forms of identification will be accepted. These include a valid Driving Licence, a valid Passport and a valid National Identity Card.

MAY 2024

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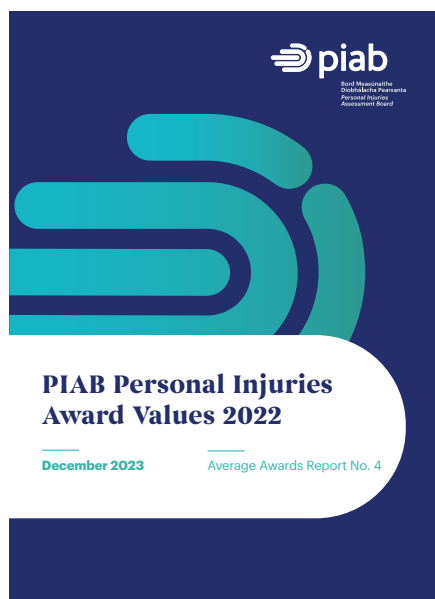
VERSION 1.2

Making Better Use of our Data

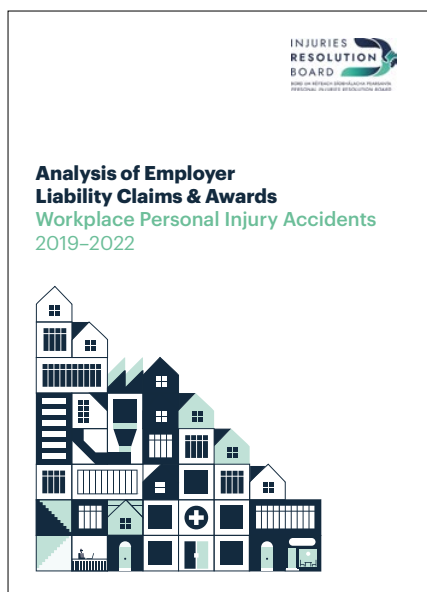
The new research function within the Injuries Resolution Board is an important development in advancing our ability to use the rich and valuable data that we have. It is envisaged that this research function will support greater transparency around personal injury compensation, through the timely publication of data. It is evident that the data captured throughout the process of personal injury resolution has significant value to Irish society and provides core decision making data for public entities and industry alike.

Through the publication of data and research the Board can support competition in the insurance sector, as data is an important part of decision making on pricing but also important for new entrants to the market. It is also important in terms of monitoring potential impacts arising from the Action Plan for Insurance Reform and in terms of using our data to inform and prevent accidents from occurring. It is the intention of the Board to publish data on awards and trends on a regular basis.

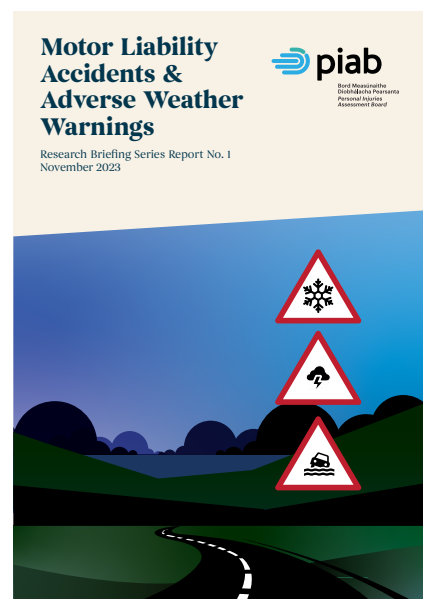
During 2023 four reports were published and these are shown below:



↑ **PIAB Personal Injuries Award Values January 1st to June 30th, 2022**, covered award values and injury trends from January to the end of June 2022.



↑ **Analysis of Employer Liability Claims & Awards** was the last report published in 2023 and focused on workplace personal injury accidents from 2019 to 2022.



↑ **Motor Liability Accidents & Adverse Weather Warnings** was the first report in the research briefing series. The report examined road traffic accidents in 2019 exploring the impact of wider environmental conditions like national and regional weather warns using open-access data from Met Éireann.



← **PIAB Personal Injuries Award Values 2022**. This was the second Average Awards report published in 2023 covering awards and injury trends from January to December 2022. The report was the first full-year overview of average awards since the implementation of the Personal Injuries Guidelines.



Injuries Resolution Board and Mediation Service Launch

L-R Hilary McGouran
Head of Mediation at the
Injuries Resolution Board,
Minister Dara Calleary,
T.D. Eileen Devereux
Chief Operations Officer
Injuries Resolution Board
and Rosalind Carroll
Chief Executive Injuries
Resolution Board

New Mediation Service

The introduction of mediation has marked an important expansion of our services. Our mediation service was formally launched on the 14th of December 2023, starting with employers' liability claims. This allows Claimants and Respondents to opt for mediation as a method of resolving claims arising from workplace accidents.

The value of awards for employer liability claims over the last 4 years is €86 million and there is huge potential to reduce the costs and time and get quicker resolution to these claims through mediation.

Mediation through the Injuries Resolution Board, for the first time, will allow parties to a claim to explore a broader range of issues such as liability, the nature of the injuries sustained, required future treatments and so on. The current Assessment of Compensation function while very useful in many situations is paper based and does not allow for issues such as liability, injuries sustained, or other areas to be discussed. This results in many cases entering into the litigation system, which can add stress and cost over €17,000 in legal fees on average for every claim - this of no benefit to the claimant, the insurer and to society.

Employer Liability claims in 2023 had a 64% rate for respondents consenting to assessment of a claim. This means that 36% of the claims were leaving our system before we ever got a chance to resolve or assess at them. Many of the reasons for parties not consenting or wanting to use our process is that they want a chance to discuss the aspects of the claim with an impartial third party. Prior to mediation we couldn't facilitate this and issues such as liability, nature of injury and so on were not feasible to be explored; or you did not have the ability to simply talk about the issue. Mediation gives the Injuries Resolution Board a new opportunity to keep more claims within the system and can prevent parties having to wait for a court date and allows both parties to ask questions, state what they are looking for and essentially resolve the claim in a relatively short period of time.

Mediation was rolled out to public liability claims in May 2024 and will be rolled out to motor claims by the end of 2024.

Employer Liability claims in 2023 had a 64% rate for respondents consenting to assessment of a claim, this means that 36% of the claims were leaving our system before we ever got a chance to resolve or assess them. Many of the reasons for parties not consenting or wanting to use our process is that they want a chance to discuss with an impartial party the aspects of a claim.

Mediation

How it works?



In mediation, those involved can talk about and explore issues of importance. It is a voluntary and confidential service.

These issues of importance could include the claim value, extent of injury, liability, negligence, or future treatment requirements. When parties opt for mediation, one of the Injuries Resolution Board's experienced and impartial mediators will work with the claimant and the respondent with the aim of facilitating a mutually agreed outcome.



Typically, mediations will be carried out over the telephone, with an appointment arranged in advance by the mediation team at the Injuries Resolution Board.

You do not have to talk directly to the other party. Instead, the mediator, through a series of separate calls will listen to both parties to gain a full understanding of the issue(s).



Where agreement is reached, the mediator will draft an agreement and will send it to the parties to sign.

There is then a ten-day cooling off period, after which time the agreement becomes legally binding.



Why choose mediation?

Some of the benefits of mediation to resolve personal injury claims can include.

- ✓ **Quick** - resolution is usually in less than 3 months
- ✓ Allows you **talk** about the issues
- ✓ **Confidential**
- ✓ **Voluntary** - all those involved agree to mediate
- ✓ **Doesn't affect legal rights** if no agreement is reached
- ✓ **Independent and impartial**
- ✓ The parties' **control** whether there's an agreement or not, but never have to speak directly to each other thereby reducing stress
- ✓ Agreements are **legally binding**

Issues to be mediated can cover a broader range of issues than our assessment service.

PIAB becomes the Injuries Resolution Board

The close of the year brought with it a new name and brand, as the Personal Injuries Assessment Board became the Injuries Resolution Board. This change represented and reflected the expansion of our remit and our services – including the introduction of mediation - with the focus of the organisation being on resolving claims.



Since our establishment in 2004 to the end of 2023, the Injuries Resolution Board has assessed over 180,000 claims, with the total value of accepted awards over €2.2 billion during this period. In 2023 alone, the Injuries Resolution Board has delivered savings of over €75 million in avoided costs due to claims being resolved through our low cost, non-adversarial model rather than proceeding to litigation. Our assessment service allows Claimants to receive compensation sooner, without the need to incur high legal fees, therefore, reducing the overall cost of a claim which will ultimately support lower premium costs. The introduction of a mediation service in 2023, will support the Injuries Resolution Board to deliver even greater savings in the future.

★ ★ ★
In 2023 the Injuries Resolution Board saved
€75 million
in avoided costs due to claims not
proceeding to litigation.

Garda Compensation Scheme

Another highlight in 2023 was the commencement of The Garda Síochána (Compensation) Act 2022 which was commenced on the 10th of April 2023. The Act brought Garda compensation claims under the remit of the Injuries Resolution Board.

The scheme provides for compensation in respect of death or injury which is maliciously inflicted upon a member of An Garda Síochána while on duty, or in connection with their duties. The scheme prior to the new legislation operated on the basis that an injured member, or specified dependants in the case of death, had to apply to the Minister for Justice for authorisation for leave to apply to the High Court for compensation in respect of the injury received and all claims then had to be heard by the High Court. The new legislation and bringing the scheme within the remit of the Injuries Resolution Board aims to reduce the length of time it takes for Garda members, or their dependants in the case of the death of a member, to have their application for compensation dealt with from initial application through to award by providing for clear time limits in relation to each stage of the process. The new process will ensure that avenues for settlement and resolution are available at the earliest possible stage to reduce the number of applications that proceed to court.

How Does It Work



The Garda Commissioner will arrange for the making of an initial assessment as to whether a member has been injured as a result of a malicious incident.



Where an assessment concludes that a member has been injured as a result of a malicious incident, such member or dependant is entitled to compensation and the Garda Commissioner will arrange for an application to be made on the claimant's behalf to the Personal Injuries Assessment Board.



The Board will then assess quantum having regard to the Personal Injuries Guidelines. The State Claims Agency will act as the respondent on behalf of the Garda Commissioner.



The Personal Injuries Assessment Board process will take place in the normal way under the 2003 Act as amended, subject to certain minor modifications.



As is the case with other civil actions that the Injuries Resolution Board currently assesses quantum in, it is only where a claimant or the respondent rejects the assessment made by the Board that an authorisation will be given to a claimant to proceed to court.

We received 215 Garda Compensation claims in 2023 and while these amounted to only a small percentage (1%) of our overall claims received, to the individuals concerned the much-reduced time in resolving their claims should hopefully enable them to move forward without the adversarial nature of litigation affecting them further and for the State there is a much-reduced cost in terms of legal expenses.



The Guidelines – Certainty and Consistency in Awards Across Channels

The Personal Injuries Guidelines were adopted by the Judicial Council on the 6th March 2021, and brought into law with effect from the 24th April 2021 and set out the level of General Damages that may be awarded in respect of varying types of personal injuries. One of the core objectives of the Guidelines was to create an awards environment in Ireland where there was consistency and certainty in awards no matter what the settlement channel. The legislation underpinning the Guidelines ensures both the courts and the Injuries Resolution Board have regard to the Guidelines when making decisions on awards and have to give reasons where they don't.

2023 marked the second full year of implementation of the Guidelines and the significance of the changes that were introduced mean that it takes time to see and monitor the impacts. The Injuries Resolution Board are the main implementor of the Guidelines as the vast majority of claims do not enter the court system, however, the courts' interpretation of the Guidelines is very important to their overall implementation.

There have been a number of legal challenges to the Guidelines. This is not unexpected given the significance of the changes to the personal injuries landscape. A number of these cases have progressed significantly, and two recent landmark cases have brought much greater certainty to the Guidelines, and they are welcome judgments.

Recent Court Judgments

In October 2023 the Court of Appeal issued its judgment in the case of Tara Wolfe v the Personal Injuries Assessment Board and Mater Misericordiae Hospital.

A key issue of the case related to the level of reasoning and detail that Injuries Resolution Board provided in its Notice of Award (NOA). While the High Court initially deemed the information provided in the Injuries Resolution Board's assessment notices sufficient, the Court of Appeal overturned the High Court judgment and accepted an appeal by the claimant that she was not provided with sufficient information to allow her to decide whether to accept the level of compensation detailed in the notice issued by Injuries Resolution Board. We have reviewed our process and implemented changes to support more transparency and understanding by claimants and claimant's representatives.

In the case of Delaney v PIAB, the constitutionality of the Guidelines was challenged. The case was previously heard by the High Court, and then appealed to the Supreme Court. The judgment in relation to this case was delivered in April 2024 where the Guidelines were found to be legally binding, constitutional and applied correctly by us. These judgments together provide much welcome clarity on the Guidelines and their implementation.

Expanding our services, handling two significant cases from the Court of Appeal and the Supreme Court, stabilising acceptance rates, and achieving the highest consent rate in our history all play a part in creating certainty and confidence in our service. This goes to highlight the value of the trusted expertise we continue to provide.

To the end of December 2023, the Injuries Resolution Board has made nearly 23,000 assessments of compensation using the Guidelines which is a significant volume and has contributed to a much-changed personal injury environment.

To the end of December 2023,
the Injuries Resolution Board has
made nearly **23,000 assessments** of
compensation using the Guidelines

2

Claims and Awards

2023 represented a significant year for the Injuries Resolution Board. The volume of claims grew during the year, and we continue to see changes in the types of claims being made and in award values. The 2022 Garda Siochana (Compensation) Act came into effect on the 10th April 2023, expanding the remit of the Injuries Resolution Board to encompass the assessment of Garda Compensation claims. However, while applications were received throughout the year, no assessments of compensation were concluded during the year and therefore they are not reflected in the data below.

2023 was the second full year of the Guidelines and therefore the report is a useful measure of some of the changes that have occurred following their implementation.

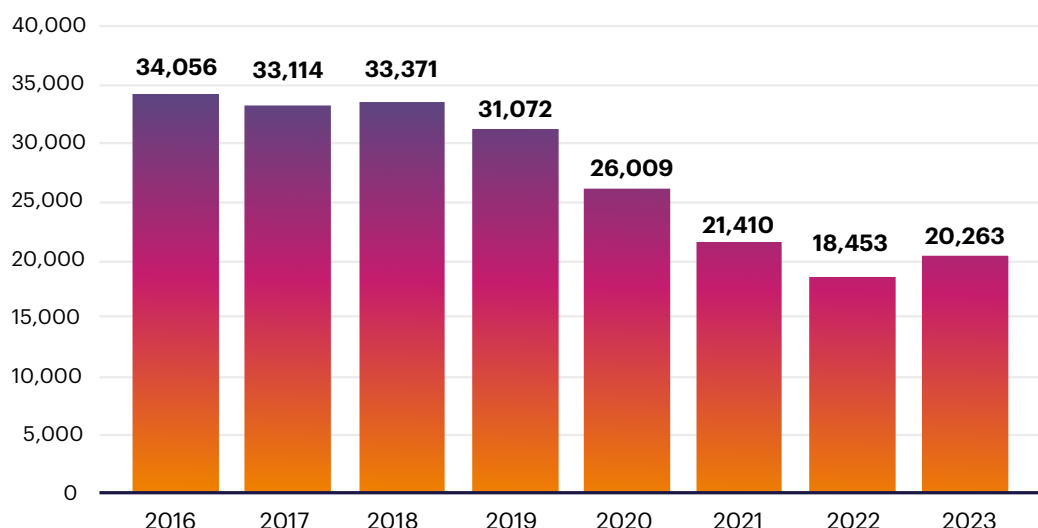
The following section of the annual report provides an overview of trends in the awards made by the Injuries Resolution Board during 2023.

Claim Application Volumes

In 2023, 20,263 claim applications were submitted to the Injuries Resolution Board. This represented a 10% increase on 2022 volumes. While claim volumes increased in 2023, total claim volumes have not recovered to the levels submitted to the Injuries Resolution Board prior to the Covid-19 pandemic, remaining 35% lower in 2023 in comparison to 2019. Despite increased traffic-levels, a return to in-person working environments and the resumption of normal trading hours over the last two years, claim volumes have not returned to the pre-pandemic average of approximately 30,000 claims per annum. The Personal Injuries Guidelines, introduced in April 2021, represented one of the most significant reforms in personal injury compensation and it is suggested that they have had an impact on the volume of claims submitted to the Injuries Resolution Board.

Figure 1.1

Total Claim Applications 2016-2023



The increase in claim volumes in 2023 was largely driven by the increase in claims arising from road traffic accidents, with the number of Motor Liability claims increasing by 14% when compared to 2022





Categories of Claims

As shown below in **Table 1.1**, claims arising from road traffic accidents (Motor Liability claims) accounted for over half of all claims submitted to the Injuries Resolution Board in 2023 (57%). The increase in claim volumes in 2023 was largely driven by the increase in claims arising from road traffic accidents, with the number of Motor Liability claims increasing by 14% when compared to 2022. The volume of Public Liability claims, which accounted for 24% of all claims submitted in 2023, was 3% higher, rising from 4,641 claims in 2022 to 4,795 claims in 2023. While overall claim volumes increased by 10% in 2023, largely driven by the increase in motor liability claims (+14%), claims arising from workplace accidents (Employer Liability claims) remained relatively unchanged and accounted for 18% of all claim applications in 2023.

2023 represented the first year in which Garda Compensation personal injury claims fell within the remit of the Injuries Resolution Board. This was as a result of the 2022 Garda Compensation Act, which came into effect on the 10th of April 2023. Between April and December 2023, 215 Garda Compensation personal injury claims were submitted to the Injuries Resolution Board accounting for 1% of total applications during this period.

Table 1.1

Breakdown of claim applications 2023 v 2022

Applications received	2023	2022	%Change 2023 v 2022
Motor Liability 	11,587	10,154	+14%
Public Liability 	4,795	4,641	+3%
Employer Liability 	3,666	3,658	+<1%
Garda Compensation 	215	-	-
Total	20,263	18,453	+10%

As shown in **Table 1.2**, claim volumes in 2023 remain 35% lower than the volume of claims submitted to the Injuries Resolution Board in 2019. This reduction is greatest among public liability claims which have reduced by 40%, followed by Employer Liability claims at -38% and Motor Liability claims -33%. Claim volumes in 2023 also include the first 215 Garda Compensation Scheme claims submitted between April-December 2023, which did not fall under the remit of the Injuries Resolution Board in 2019.

Table 1.2

Breakdown of claim applications 2023 v 2019





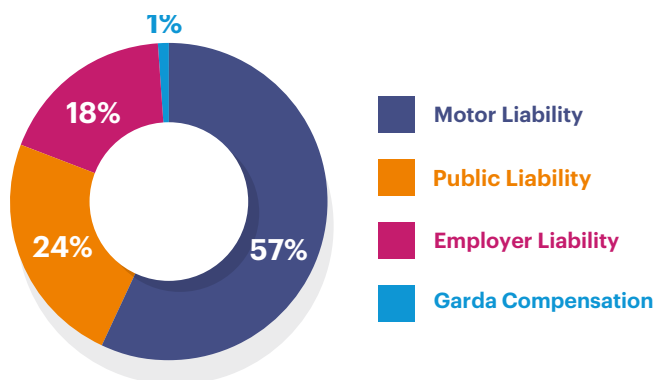
Applications received	2023	2019	%Change 2023 v 2019
Motor Liability 	11,587	17,177	-33%
Public Liability 	4,795	8,024	-40%
Employer Liability 	3,666	5,871	-38%
Garda Compensation 	215	-	-
Total	20,263	31,072	-35%

Figure 1.2

Breakdown of Claim Applications in 2023



Consent to Assessment

How does consent work in the Injuries Resolution Board's process?

When a Claimant submits a personal injury claim to the Injuries Resolution Board, we issue a notice of the claim to the Respondent – the individual(s) or organisation(s) against whom the claim is being made. Following this, the Respondent has a 90-day time period, to either agree or decline to have the Injuries Resolution Board assess the claim.

If the Respondent consents, the Injuries Resolution Board will proceed with assessing the claim. However, if the Respondent does not provide consent the Injuries Resolution Board issues a legal document called an 'authorisation' to the Claimant which enables them to pursue the claim through litigation if they choose to do so.

As of December 2023, both Claimants and Respondents now have the opportunity to consent to mediation, specifically for Employer Liability claims. Mediation services are scheduled to commence for all claim categories in 2024.

Consent rates are an important metric for measuring engagement with the Injuries Resolution Board. These rates indicate how many Respondents are consenting to using the Injuries Resolution Board's resolution model, thereby, reducing the likelihood of claims proceeding to litigation. The Injuries Resolution Board's model facilitates the successful resolution of claims, allowing Claimants to receive compensation sooner, and without incurring high legal costs. Ultimately, this reduction in the overall cost of resolving claims, not only benefits individuals, but wider society.

Table 1.3.

Proportion of Respondents consenting to assessment by the Injuries Resolution Board (2016-2023)

Year	Motor Liability	Employer Liability	Public Liability	Garda Compensation	Combined Rate
2016	66%	49%	45%	-	58%
2017	65%	49%	43%	-	57%
2018	65%	50%	44%	-	57%
2019	64%	48%	42%	-	55%
2020	62%	49%	43%	-	55%
2021	67%	56%	49%	-	60%
2022	78%	65%	54%	-	70%
2023	80%	64%	54%	83%	71%

As shown in **Table 1.3.** in 2023, the overall consent rate increased to 71%, the highest consent rate since the Injuries Resolution Board was first established in 2004. This represents a 16% increase in the overall consent rate when compared to the 2020 consent rate of 55%. In 2023, Respondents consented to 80% of Motor Liability claims, 64% of Employer Liability claims, 54% of Public Liability claims and 83% of Garda Compensation claims. It is hoped that as the Injuries Resolution Board's mediation service continues to be rolled out that further increases will be seen in the number of Respondents engaging with our assessment and mediation services, preventing the need for unnecessary litigation to successfully resolve a claim for all parties.

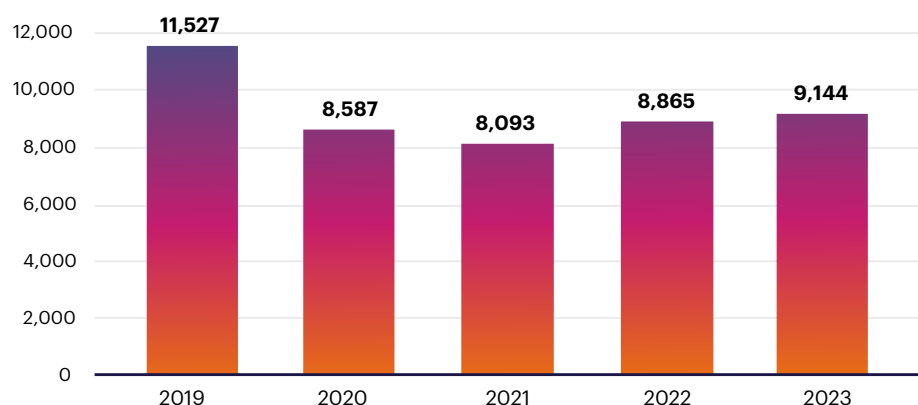
In 2023, the overall consent rate increased to **71%**, the highest consent rate since the Injuries Resolution Board was first established in 2004

Total Award Volumes

In 2023, the Injuries Resolution Board made 9,144 assessments of compensation. These assessments of compensation related to road traffic accidents (Motor Liability), workplace accidents (Employer Liability) and accidents occurring in public-settings (Public Liability). The number of compensation awards made by the Injuries Resolution Board in 2023 was 3% higher than 2022, and 13% higher than 2021. The upward trend in assessments is primarily driven by two factors: increasing claims volumes in 2023 and a greater proportion of Respondents consenting to an assessment being made by the Injuries Resolution Board. Notably, the consent rate has increased from 60% in 2021 (when the number of awards reached an all-time low) to a consent rate of 71% in 2023.

Figure 1.3

Total Number of Assessments of Compensation made by the Injuries Resolution Board (2019-2023)



Categories of Awards

Table 1.4

Breakdown of awards based on claim category (2023-2020)




Category	2023	2022	2021	2020	%Change 2023 v 2020
Motor Liability 	6,230	5,802	5,606	6,058	+3%
Public Liability 	1,629	1,774	1,436	1,426	+14%
Employer Liability 	1,285	1,289	1,051	1,103	+17%
Total	9,144	8,865	8,093	8,587	+6%

Table 1.4 provides an overview of the number of assessments of compensation made by the Injuries Resolution Board between 2020 and 2023. The volume of awards made in 2023 was 6% higher in 2023 than in 2020. This growth in the number of awards was most pronounced for Employer Liability awards which increased by 17% in 2023, followed by Public Liability awards (+14%) and Motor Liability awards (+3%).

Figure 1.4.

Award Breakdown 2023

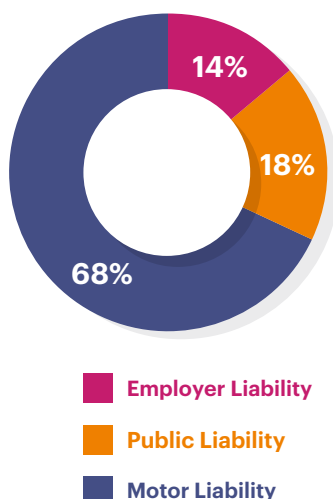
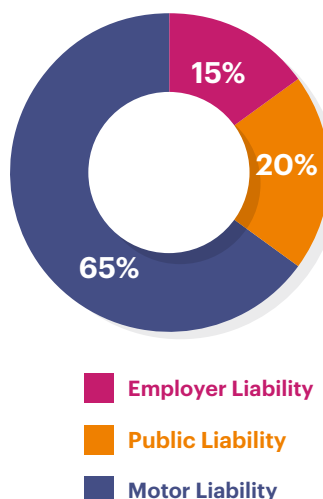


Figure 1.5.

Award Breakdown 2022



As shown in **Figures 1.4 and 1.5**, 68% of all assessments of compensation made by the Injuries Resolution Board in 2023 were for injuries sustained as a result of road traffic accidents (Motor Liability awards). Historically, the proportion of awards made for Motor Liability claims each year remained relatively static at 70%, this reduced to 65% in 2022 but increased in 2023 to 68%. This increase is due to the pronounced growth in the proportion of Motor Liability claims submitted to the Injuries Resolution Board in 2023, which were 14% higher than the volume submitted in 2022.

Total Award Values

In 2023, the total value of awards made by the Injuries Resolution Board was €170 million, a reduction of over €100m on the total value of awards made in 2019. While the total value of awards was higher in 2023 than the previous year, this was driven by a greater number of claims assessed, in addition to more complex cases including an increased maximum award value in 2023. Other factors influencing award values, and detailed in our Average Awards Report Series, include the type and severity of injuries that are presenting for assessment. There has been an evident shift in the profile of injuries being assessed by the Injuries Resolution Board, since the introduction of the Guidelines, and this will be discussed later in this report.

In 2023, the total value of awards made by the Injuries Resolution Board was **€170 million**, a reduction of **over €100m** on the total value of awards made in 2019.

Table 1.5

Total Volume and Value of Awards 2016-2023

Year	Number of Awards	Total Value
2016	12,966	€315 million
2017	12,663	€315 million
2018	12,112	€299 million
2019	11,527	€275 million
2020	8,587	€206 million
2021	8,093	€157 million
2022	8,865	€141 million
2023	9,144	€170 million

While the total value of awards increased in 2023, this figure remains 38% lower than the total value of awards made by the Injuries Resolution Board in 2019, prior to the Covid-19 pandemic and the introduction of the Guidelines which reduced overall claim volumes.

Average and Median Award Values in 2023

The following section provides an overview of the average value and median value of assessments of compensation made by the Injuries Resolution Board in 2023. Simply put, the average award value describes the common value of awards made in 2023, if the total value of awards was shared equally amongst each claim; while the median award value describes the amount of compensation that a typical Claimant was awarded in 2023. Recent legislative and wider environmental changes have altered the profile of injuries presenting for assessment to the Injuries Resolution Board. More complex cases were assessed in 2023 than in previous years. This has the potential to inflate the average award statistic which is more sensitive to high-value outlier cases than the median award statistic. Therefore, both award statistics are presented to promote greater transparency and understanding of trends in personal injury compensation.

Table 1.6.

Average Award Values in 2023 vs 2022 (Personal Injuries Guidelines) and 2020 (Book of Quantum)




Award Category	2023 Average Award	2022 Average Award	%Change '23 v '22	2020 Average Award	%Change '23 v '20
Motor Liability 	€16,180	€13,975	+16%	€22,357	-28%
Employer Liability 	€27,610	€22,989	+20%	€30,558	-10%
Public Liability 	€20,396	€16,833	+21%	€26,065	-22%
Overall Average	€18,537	€15,857	+17%	€24,026	-23%




Table 1.6 describes the average value of the total 9,144 assessments of compensation made by the Injuries Resolution Board in 2023. **In 2023, the average award value was €18,537, 17% higher than the average award in 2022 but 23% lower than the pre-Guideline average award in 2020.** The percentage increase in award values in 2023 was greatest for Public Liability awards (+21%), closely followed by Employer Liability awards (+20%), while the average compensation value for road traffic accidents increased by 16%.

While the introduction of the Guidelines continues to have a significant impact on average award values in 2023, which were 23% lower in comparison to the average award in 2020, changes in the type and profile of injuries being assessed by the Injuries Resolution Board have increased average award values.

Table 1.7 describes the median award value in 2023 (the value of compensation that was awarded for a typical Claimant in 2023). Overall, in 2023, the median award value of €11,650 remains 37% lower than the median award value of €18,459 in 2020. This reduction is greatest among Motor Liability awards which were 41% lower in 2023 in comparison to 2020, followed by Public Liability awards (-40%) and Employer Liability awards (-29%). While 2023 awards remain significantly below the pre-Guideline median award figures, the overall median award value was 12% higher in 2023 than in the previous year. This increase was greatest among Public Liability awards where the median value increased by 22%, followed by Employer Liability awards (+15%) and Motor Liability awards (+8%). The following section of this report will detail the factors behind this trend in 2023.

Table 1.7.

Median Award Values in 2023 vs 2022 (Personal Injuries Guidelines) and 2020 (Book of Quantum)

Award Category	2023 Median Award	2022 Median Award	% Change 2023 v 2022	2020 Median Award	% Change 2023 v 2020
Motor Liability 	€10,692	€9,877	+8%	€17,975	-41%
Employer Liability 	€16,531	€14,383	+15%	€23,447	-29%
Public Liability 	€12,414	€10,200	+22%	€20,645	-40%
Overall Median	€11,650	€10,365	+12%	€18,459	-37%

In 2023, the median award value of **€11,650** remains **37% lower** than the median award value in 2020 of €18,459

Factors influencing Average and Median Award Values in 2023

1. The Profile of Injuries Assessed in 2023

Since the introduction of the Guidelines and recent legislative changes, the profile of injuries assessed by the Injuries Resolution Board each year has evolved. In 2023, the remit of the Injuries Resolution Board expanded to allow cases in which a stable prognosis was not yet available to be retained for future assessment.

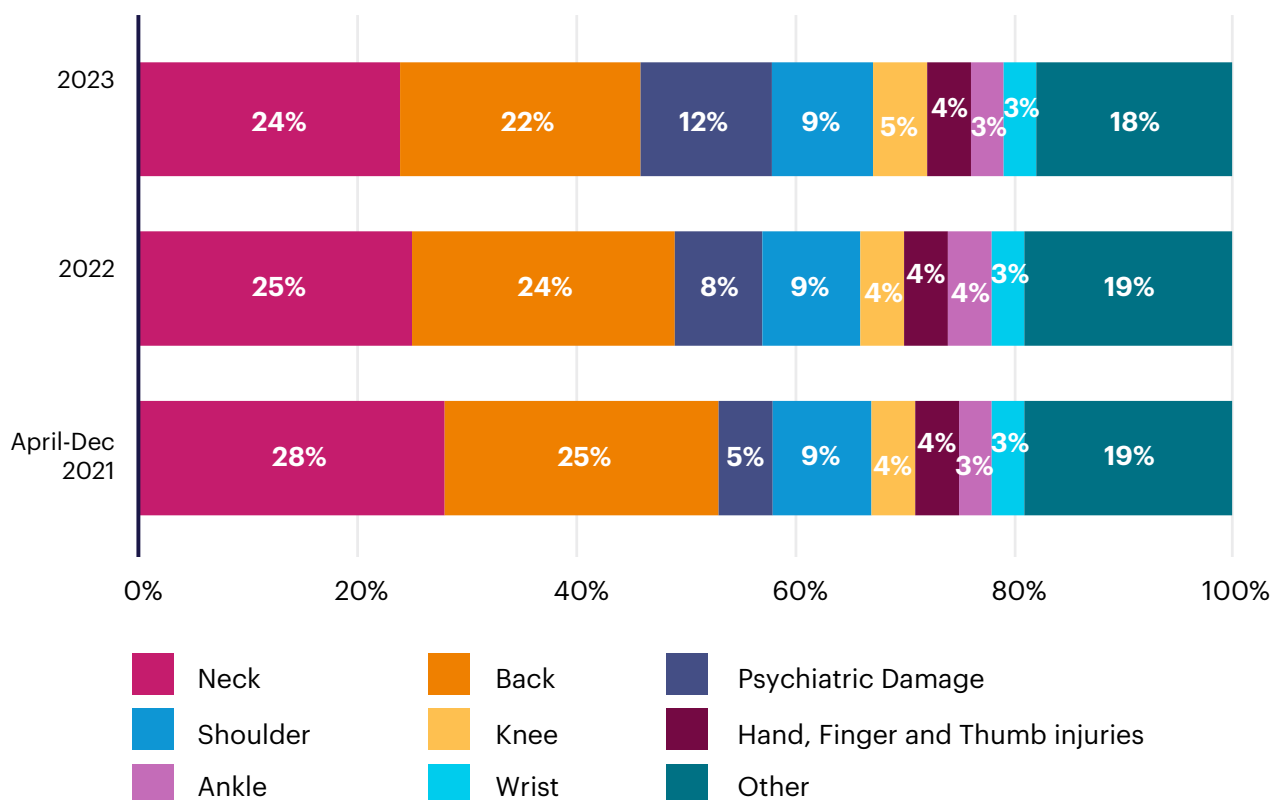
These significant reforms have resulted in more complex injuries and cases, which would have previously been resolved through litigation, being assessed by the Injuries Resolution Board. This has supported Claimants who have sustained life-changing and serious injuries to reach a resolution sooner, without the need to incur costly litigation fees.

As shown in **Figure 1.6**, in the period directly following the implementation of the Guidelines, April-December 2021, just 5% of awards made related to psychiatric damage injuries. This increased to 8% of awards in 2022 and in 2023, 12% of all awards made were for psychiatric damage injuries. In real terms, this equates to awards for psychiatric damage injuries in 1 in every 20 assessments in 2021, increasing to 1 in every 8 assessments in 2023.

This growth in the proportion of awards corresponding to psychiatric damage injuries has coincided with a decrease in the proportion of awards made for neck and back injuries. Between April-December 2021, 53% of all awards were made for neck and back injuries, with this decreasing to 46% of awards in 2023. This is important to consider when interpreting trends in award values in 2023, as average and median award values are directly determined by the type and severity of injuries assessed.

Figure 1.6.

Most common dominant/most significant injury types for awards made under the guidelines in 2023, 2022 and April-December 2021. Note: This graph excludes fatal injuries.



2. The Severity of Injuries Assessed in 2023

The commencement of the Personal Injuries Resolution Board Act 2022 allowed the Injuries Resolution Board to retain cases which did not yet have a stable prognosis. Previously, these cases would have been released from the Injuries Resolution Board and pursued through litigation.

The introduction of the Guidelines in 2021, provided severity classifications for the most common injury types. Table 1.7 describes the seven most injury types: ankle injuries, back injuries, knee injuries, neck injuries, psychiatric damage injuries, shoulder injuries and wrist injuries (78% of all awards in 2023) based on severity classification, as per the Guidelines.

For example, minor severity orthopaedic injuries most commonly include soft tissue injuries where a substantial recovery takes place within a maximum of five years. Moderate severity orthopaedic injuries often include fractures which cause significant levels of pain and discomfort. Severe and serious orthopaedic injuries encompass injuries which cause severe levels of pain and discomfort, which may lead to individuals experiencing impairments in their ability to complete tasks independently. As per the Guidelines, a range of considerations are taken into account when determining the severity of an injury sustained by a Claimant, including the extent of the required treatments and the expected prognosis.

Table 1.7

The severity classification of the most common injury types assessed between 2023-2021.

Injury Severity	Minor Severity	Moderate Severity	Severe/ Serious
2023	78%	18%	4%
2022	82%	16%	2%
Apr-Dec 2021	86%	13%	2%

As shown in **Table 1.7**, the proportion of minor severity injuries assessed by the Injuries Resolution Board has reduced significantly since 2021. In 2023, 78% of the most common injury types were classified as minor severity compared to 86% of injuries in April-December 2021 and 82% of injuries in 2022. This has coincided with a pronounced increase in the proportion of moderate severity injuries presenting for assessment, increasing from 13% of injuries in 2021 to 18% of injuries in 2023. Likewise, the percentage of injuries classified as severe or serious in severity has doubled, rising from 2% of injuries in 2021 and 2022 to 4% of injuries in 2023.

As per the Guidelines, greater severity injuries attract higher levels of compensation relative to the pain and suffering experienced by the Claimant. Any change in the severity of injuries assessed with a given period will directly impact award values. Most importantly, this analysis shows that recent legislative changes have supported the Injuries Resolution Board to retain and resolve more complex cases which would have otherwise been pursued through litigation. Ultimately, this has supported more Claimants who have sustained serious and severe injuries to receive compensation sooner and at a significantly lower cost than if the claim had been resolved through litigation.

In 2023, the Injuries Resolution Board has supported more Claimant's who have sustained serious and severe injuries to receive compensation sooner and at a significantly lower cost than if the claim had been resolved through litigation

Range of Award Values in 2023

In 2023, a majority of all awards made by the Injuries Resolution Board were valued under €15,000 (62%). In comparison to 2022, the percentage of awards made within the higher value award bands has increased. As shown in **Table 1.8**, in 2022, 5% of all awards made were valued at €50,000 or higher, compared to 8% of awards made in 2023. This higher proportion of high-value awards made is being driven by the greater proportion of severe and serious severity injuries assessed in 2023 in comparison to previous periods, which in turn, will increase overall average award figures for 2023.

In 2023, a majority of all awards made by the Injuries Resolution Board were valued under **€15,000 (62%)**.

Table 1.8.

Range of Total Award Values in 2023, compared to 2022 and 2020 figures.

Award value band	<€5k	€5k-10k	€10k-15k	€15-20k	€20k-25k	€25k-50k	€50k+
% of 2023 Awards	20%	22%	20%	12%	7%	11%	8%
% of 2022 Awards	23%	24%	20%	12%	6%	10%	5%
Award value band	<€10k		€10k-15k	€15k-20k	€20k+		
% of 2020 Awards	12%		18%	26%	44%		

When compared to the distribution of awards prior to the introduction of the Personal Injuries Guidelines, just 12% of awards were valued under €10,000 in 2020, highlighting the significant impact of the Guidelines on compensation levels. Equally, while the proportion of higher value cases has increased in 2023, in comparison to the previous year, just 26% of awards were valued over €20,000 compared to 44% of all awards made in 2020.

2023 saw a significant shift in the proportion of awards that were valued at €50,000 or greater, increasing from 5% of awards made in 2022 to 8% in 2023. This is primarily being driven by recent legislative changes which supported the Injuries Resolution Board to retain more complex injury cases until a stable prognosis becomes available. This has resulted into more serious and severe injury cases being assessed by the Injuries Resolution Board and fewer of these cases being resolved through costly litigation.

Highest and Lowest Value Awards made in 2023

The highest award value made in 2023 was €691,000, and related to a serious road traffic accident in which the Claimant sustained severe and lifechanging injuries. While this maximum award value represents a slight increase in the maximum award made by the Injuries Resolution Board in 2022, overall the proportion of cases valued over €100k has remained relatively unchanged. In 2023, 1.2% of all awards were valued over €100k compared to 0.9% in 2022, with these cases often representing the most severe and lifechanging injuries.

The lowest award made in 2023 was €0. The Injuries Resolution Board makes an assessment of compensation to the value of zero in cases where the injury sustained, and any resulting pain and suffering does not meet the criteria for compensation as set out in the Guidelines and did not have any qualifying out of pocket expenditure as a result of the accident.

Figure 1.7

The Maximum and Minimum Award Values made by the Injuries Resolution Board 2023-2021



Trends in General and Special Damages in 2023

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




Despite the significant changes in the injury type and greater severity of injuries assessed by the Injuries Resolution Board in 2023, the average General Damage award was 29% lower than the pre-Guideline figure in 2020. This reduction was greatest for Motor Liability awards reducing by 33%, followed by Public Liability and Employer Liability awards which both decreased by 24% (Table 1.9).

Similarly, the median General Damages award highlights the significant impact of the Guidelines. In 2023, the overall median General Damages award was 41% lower than the median value in 2020. This reduction was greatest among the median value of Motor Liability General Damage awards which decreased by 42% in 2023, followed by Public Liability awards (-40%) and Employer Liability awards (-30%).

In 2023, the overall median General Damages award was **41% lower** than the median value in 2020.

Table 1.9

Average and Median General Damage Award 2023 v 2020

	 Motor Liability	 Public Liability	 Employer Liability	Overall
Average General Damages 2023	€13,516	€18,679	€20,562	€15,426
Average General Damages 2020	€20,249	€24,625	€27,051	€21,850
% change in value	-33%	-24%	-24%	-29%
Median General Damages 2023	€9,500	€12,000	€14,000	€10,000
Median General Damages 2020	€16,500	€20,000	€20,000	€17,000
% change in value	-42%	-40%	-30%	-41%




In 2023, the average and median values of Special Damages awards were significantly higher than 2020 figures, however the inflationary effects which drove these increases have appeared to stabilise. While the overall average Special Damages award increased by 53% in 2023 v 2020, the median Special Damages award increased by just 9% highlighting the high variability in this award component and the impact of high value awards.

Both award metrics highlight a significant increase in Special Damage awards for Employer Liability claims during this time period, with the average award doubling and the median award increasing by 44% in 2023 v 2020. Awards made within the Employer Liability claim category are more likely to include compensation for loss of earning claims, a type of Special Damage compensation which is acutely affected by wage inflation. While Special Damage awards have been affected by inflation, this effect appears to have stabilised in 2023 with the average award being €3,111 in 2023, which remains consistent with the average Special Damages award of €3,001 in 2022.

While Special Damage awards have been affected by inflation, this effect appears to have stabilised in 2023.

Table 1.10

Average and Median Special Damage Award 2023 v 2020

	 Motor Liability	 Public Liability	 Employer Liability	Overall
Average Special Damages 2023	€2,663	€1,717	€7,048	€3,111
Average Special Damages 2020	€1,909	€1,375	€3,524	€2,027
% change in value	+39%	+25%	+100%	+53%
Median Special Damages 2023	€810	€390	€1,136	€750
Median Special Damages 2020	€765	€330	€788	€685
%change in value	+6%	+18%	+44%	+9%

Acceptance Rates

2023 represented the second full year of the operation of the Personal Injuries Guidelines which were introduced in April 2021. The growth in claim applications submitted to the Injuries Resolution Board, in addition to the rising consent rate in 2023, are indicators of increased public trust in the consistency of application of the Guidelines across the settlement channels.

The acceptance rate describes the proportion of all assessments made by the Injuries Resolution Board which are accepted by both the Claimant (person submitting the claim) and the Respondent (person(s) or organisation(s) who the claim is being made against). When the Injuries Resolution Board assess a claim, we issue details of the award to both the Claimant and Respondent(s). The Claimant has 28 days to either accept or reject the award, while the Respondent(s) has 21 days. If the award is accepted by both parties, an 'Order to Pay' is issued, instructing the Respondent to pay the value of compensation which was awarded to the Claimant. An 'Order to Pay' has similar status to a court order. If an award is rejected by either party, we issue an authorisation which enables the Claimant to pursue the claim through litigation if they wish to do so.




When the Guidelines were introduced in April 2021, the acceptance rate for assessments of compensation made by the Injuries Resolution Board was significantly affected, reducing from 60% in April 2021 to just 36% in May 2021. In the periods since however, the acceptance rate has increased, remaining consistent in both 2021 and 2022 at 44%.

In 2023, the acceptance rate has increased to 48%, the highest rate since the Guidelines were introduced in 2021. Importantly, in 2023, a majority of all Claimants (51%) and Respondents (94%) accepted awards made by the Injuries Resolution Board. Equally the acceptance rate steadily increased across all categories of claims in 2023, when compared to 2022. Public Liability awards experienced the largest increase, rising from 49% in 2022 to 57% in 2023, while the acceptance rate for Employer Liability awards increased by 7% and Motor Liability awards increased by 5%. This growing acceptance rate provides evidence of increasing trust and consistency in the Injuries Resolution Board's assessment process.

In 2023, the acceptance rate has increased to **48%**, the highest rate since the Guidelines were introduced in 2021. Importantly, in 2023, a majority of all Claimants (51%) and Respondents (94%) accepted awards made by the Injuries Resolution Board.

Table 1.11

Overall acceptance rates 2016-2023

Year	Motor Liability 	Employer Liability 	Public Liability 	Overall
2016	54%	56%	59%	55%
2017	52%	56%	56%	53%
2018	51%	54%	54%	52%
2019	51%	58%	56%	52%
2020	49%	57%	53%	51%
2021	43%	46%	49%	44%
2022	40%	46%	49%	44%
2023	45%	53%	57%	48%

Timeline to Assess

The time to assess a claim from the date of consent to the date of an assessment being made by the Injuries Resolution Board increased from 10.9 months in 2022 to 11.3 months in 2023. **In 2023, 46% of awards made by the Injuries Resolution Board were assessed within 9 months.**

As a result of a series of environmental and legislative changes, the average timeline taken for a claim to be assessed by the Injuries Resolution Board has been impacted. We are working hard to implement changes across the organisation to improve our timelines.

46% of awards made by the Injuries Resolution Board in 2023 were assessed within 9 months.



46%

of awards made were
assessed within 9 months



11.3 months

Average timeline to
assess a claim in 2023




3 | Claims Related to Fatal Accidents

The Injuries Resolution Board extends its deepest sympathies to all those who have experienced the loss of loved ones due to accidents. Although fatal claims thankfully constitute only a small percentage of the cases we handle and assess, we understand that the impact on the families and loved ones affected by these accidents is profound and devastating. It is both disappointing and saddening to report an increase in the number of fatal claim applications submitted to the Injuries Resolution Board in 2023.

This section describes the number of claims relating to fatal accidents submitted to the Injuries Resolution Board between 1st of January – 31st of December 2023. **In 2023, a total of 115 fatal claim applications were submitted to the Injuries Resolution Board, 20% higher than the volume submitted in 2022 and 37% higher than 2021.**

Table 1.12

Fatal claim applications submitted to the Injuries Resolution Board in 2023 by claim category

Fatal Applications	2023	2022	2021
Motor Liability 	58	46	41
Employer Liability 	15	15	14
Public Liability 	42	35	29
Total	115	96	84

As shown in **Table 1.12**, the Injuries Resolution Board received a significantly higher volume of fatal claim applications in 2023 in comparison to previous years.

- **Fatal Road Traffic Accidents:** Half of all fatal claim applications were related to road traffic accidents. In 2023, the volume of fatal road traffic accident claims was 41% higher than the number of applications submitted in 2021.
- **Fatal Workplace Accidents:** 15 claims were submitted concerning fatal workplace accidents in 2023, remaining consistent with the number of claims submitted in 2022 and 2021.
- **Fatal Public-Setting Accidents:** Fatal claims arising from accidents in public settings saw a substantial increase, with 42 claims submitted in 2023. This figure was 45% higher than the volume of applications received in 2021.

Fatal Road Traffic Accidents

In 2023, 58 fatal claim applications related to road traffic accidents. This included 17 drivers of motor vehicles, 12 motor vehicle passengers, 15 pedestrian, 10 motorcyclists and 4 cyclists.

Half of all fatal road traffic accident claims in 2023 affected vulnerable road users, including pedestrians, cyclists and motorcyclists, underscoring the heightened vulnerability of such groups on our roads.

Just under 70% of all fatal claims related to road traffic accidents affected males, while close to half (48%) of all fatal road traffic accidents involved people aged under 30 years old.

Table 1.13

Fatal claim applications arising from road traffic accidents in 2023 and 2022

Number of fatal applications	2023	2022
Drivers	17	11
Passengers	12	14
Pedestrians	15	12
Motorcyclists	10	8
Cyclists	4	1
Total	58	46

Fatal Workplace Accidents

In 2023, 15 Fatal Claim applications were submitted to the Injuries Resolution Board which related to fatal accidents occurring in the workplace. Almost all claims concerned fatal accidents involving males (14 claims). The following tables provide an overview of the most common causes, locations and categories of work relating to fatal accidents in 2023.

Table 1.14

Fatal claim applications arising from workplace accidents in 2023 based cause of injury

Cause of injuries	FatalAccidents
Fall from a height	5
Crushing injury	4
Struck by thrown, projected, or fallen object	2
Other	4
Total	15

Table 1.15

Fatal claim applications arising from workplace accidents in 2023 based on location where injuries were sustained

Location where injuries were sustained	Fatal Accidents
Factory and plant	8
Industrial and construction area	2
Health service area	1
Home	1
Shop and store	1
Roadway	1
Commercial garage	1
Total	15

Table 1.16

Fatal claim applications arising from workplace accidents in 2023 based on Claimant's category of work

Category of work	FatalAccidents
Construction	6
Manufacturing	5
Health services	1
Transport and storage	1
Other	2
Total	15

Fatal Public Liability Accidents

A total of 42 claim applications relating to fatal accidents occurring in public-settings were submitted to the Injuries Resolution Board in 2023, a 45% increase on the volume of fatal accidents reported in 2021.

Over half of all fatal public-setting accidents affected males (63%) and a majority were aged over 40 years old (65%).

Table 1.17

Fatal claim applications arising from public-setting accidents in 2023 based on cause of injury

Cause of injuries	Fatal Accidents
Other	18
Nosocomial condition	7
Fall from a height	6
Fall on same level	6
Death in custody	4
Assault by bodily force	1
Total	42

Table 1.18

Fatal claim applications arising from public-setting accidents in 2023 based on location where injuries were sustained

Location where injuries were sustained	Fatal Accidents
Residential institution	12
Health service area	12
Home	6
Factory and plant	4
Shop and store	3
Café, hotel, and restaurant	2
Cycleway	1
Farm	1
Other	1
Total	42

4 | A Closer Look

The Injuries Resolution Board collects information on the types of injuries sustained according to the ICD-10 coding system for injury categorisation, which is endorsed by the World Health Organisation. In this section, we provide an overview of the most common injuries sustained, in addition to the most frequent accident locations and cases, across claim types to provide a greater understanding of the types of injuries sustained by road traffic, workplace accident and public-setting accident victims.






2.1 Motor Liability Claims in 2023

In 2023, 11,587 Motor Liability claims were submitted to the Injuries Resolution Board, an increase of 14% on the volume of road traffic accident claims received in 2022.

The profile of road users injured in road traffic accident claims in 2023, remained unchanged on 2022 figures. A majority of all road traffic accident claims involved motor vehicle drivers (57%), followed by motor vehicle passengers (30%). **Vulnerable road users accounted for 13% of all road traffic personal injury claims in 2023**, with pedestrians most affected (6%).

Table 2.1





Road Traffic Accidents in 2023 by Road User

Motor Liability Claims based on Road User	
	57% Motor vehicle driver
	30% Motor vehicle passenger
	6% Pedestrian
	5% Cyclist
	2% Motorcyclist

Similar to previous years, sprain and strain of the cervical spine remains the most common injury among motor liability claims at 49%, a decrease of 2% on 2022 figures. This was followed by sprain and strain of the lumbar spine (16%), sprain and strain of the shoulder joint (8%) and sprain and strain of the knee (3%).

Table 2.2

Most Common Motor Liability Injuries 2023

Most common injuries among Motor Liability claims (excl. psychological injuries)	
	49% Sprain and strain of cervical spine
	16% Sprain and strain of lumbar spine
	8% Sprain and strain of shoulder joint
	3% Sprain and strain of the knee

2.2 Employer Liability Claims in 2023

In 2023, 3,666 Employer Liability claims were submitted to the Injuries Resolution Board, an increase of less than 1% on the volume of workplace accident claims received in 2022.

In 2023, the most common cause of workplace accidents was falls on the same level due to slipping, tripping or stumbling (24%), followed by overexertion (16%), being struck by a thrown, project or falling object (14%) and crushing injuries (11%). Consistent with previous years, the most common location for workplace accidents was factories and plants, accounting for just under a third of all accidents.

Table 2.3

Most common cause of workplace accidents in 2023



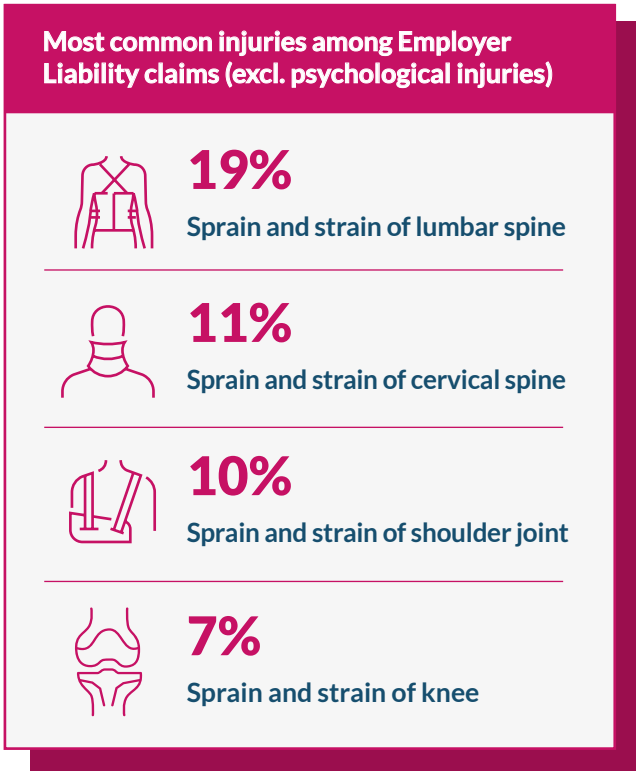
Table 2.4

Most common location for workplace accidents in 2023



Table 2.5

Most Common Employer Liability Injuries 2023



2.3 Public Liability Claims in 2023

In 2023, 4,795 Public Liability claims were submitted to the Injuries Resolution Board, an increase of 3% on the volume of public-setting accident claims received in 2022.

Falls on the same level due to slipping, tripping or stumbling accounted for a majority of all public liability claims in 2023. The second most common cause of personal injuries sustained in public settings was assault by bodily force. The most common location for public setting accidents in 2023 was shops and stores (18%), closely followed by sidewalks (16%), cafés, hotels and restaurants (13%) and roadways (12%).

Table 2.6

Most common cause of Public Liability accidents in 2023

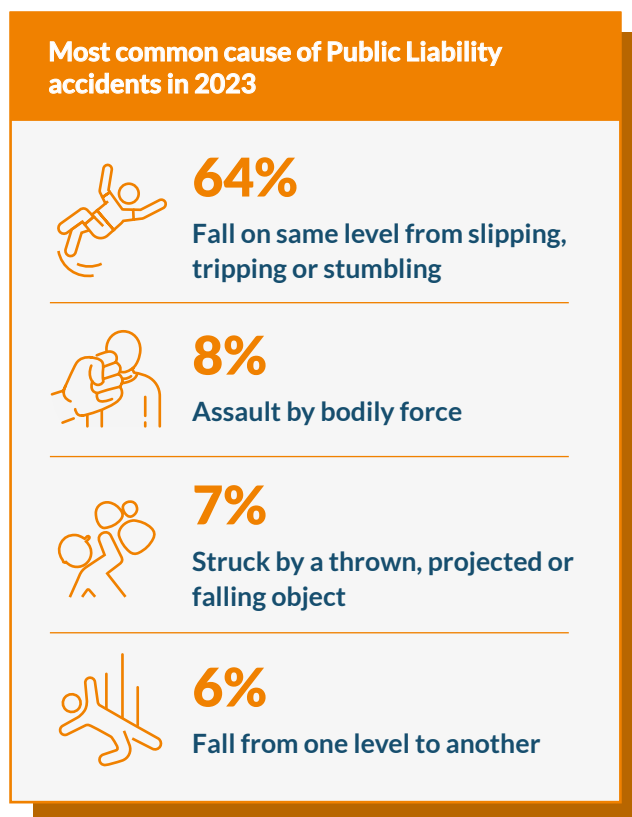


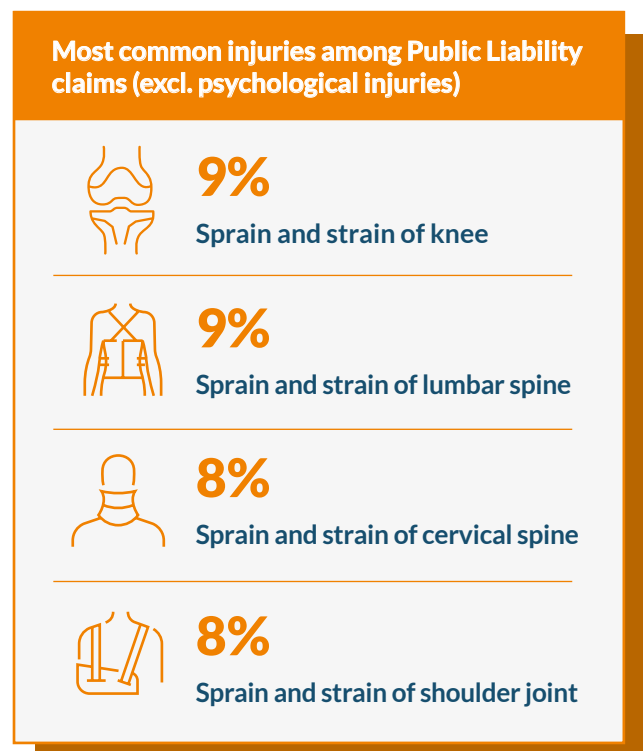
Table 2.7

Most common location for Public Liability accidents in 2023



Table 2.8

Most Common Public Liability Injuries 2023



5

Putting the Customer at the Centre of our Services

The Injuries Resolution Board is deeply committed to providing the best service for the customers who engage with our organisation. We aim to provide a service that meets our customers' needs and is easily accessible, while striving to continuously innovate. We listen to our customers and stakeholders, to better understand how we can further improve. Some of the key initiatives that demonstrate our responsiveness and desire to continuously improve are outlined in this chapter.

Customer Service

Our customers expand beyond Claimants and Respondent and make up a wide variety of stakeholders from different interest groups. From those who are making a claim or whom a claim has been made against, to policy makers who will use our data to inform policy and decision making, every single one of our customers is important to us, and we are committed to ensuring that our services are clear and accessible for all.

Our frontline customer service team is available from 8am to 6pm, Monday to Friday. Customers can connect with us via phone, email, or webchat, and can submit applications online or through our solicitor portal. Our dedicated customer service team efficiently answers a high volume of calls, emails and webchat conversations. In 2023, we received over a quarter of a million emails, over 23,000 phone calls, and just under 900 webchat messages. We arranged 11,190 independent medical appointments and dealt with over 246,000 pieces of correspondence.

In 2023 there were a number of significant changes to our legislation that impacted our application process. These changes made our application process more robust and are there to prevent fraudulent claims but also to give us further information in order for people to be able to consent to our process. To raise awareness about these changes, we engaged with multiple stakeholders, including representatives of the legal profession and other key customers as well as introducing guidance notes about what is required for a medical report so that people had information. Some of the changes introduced were also directly related to improving customer experience, such as the requirement to provide a claimant mobile phone number to facilitate contact in relation to reminders for medical appointments and supporting scheduling.

We have seen a significant increase in customer engagement with our webchat facility in 2023. While our email volumes are down, use of our webchat facility has increased 139% from 2022. This is largely due to the expansion of our webchat service across multiple pages of our website, increasing the availability of the service for our customers.

In 2023, we received over a quarter of a million emails, over 23,000 phone calls, and just under 900 webchat messages. We arranged 11,190 independent medical appointments and dealt with over 246,000 pieces of correspondence.

Phone calls

23,189 

Emails

258,046 

Medical Appointments
organised

11,190 

Webchats

889 

Average wait time to speak to agent

40 seconds 

New Initiatives

We introduced a number of new initiatives throughout the year to further enhance our customer services and experience. These included a new SMS messaging service and our Voice of the Customer surveys.

SMS Messaging

Introduced in 2023, this customer service initiative was aimed at improving medical examination attendance, by sending reminders via SMS message to customers, 72-hours in advance of their scheduled appointment. On average, the Injuries Resolution Board issued 124 SMS messages of this nature per month in 2023. The impact of this is to support us resolving claims in a timely manner for the benefit of all parties. In addition, there are costs added to claims where medicals are scheduled and there is non-attendance. Reducing this cost can directly reduce claim costs.

This simple action has had a positive impact both for our customers and the claims process.

By drawing from behavioural science insights, this simple action has had a significant positive impact, with non-attendance rate decreasing by 35%. This sharp decline in the non-attendance rate improves our overall process in dealing with claims.

Voice of the Customer

The Voice of the Customer surveys and insights initiative was introduced in January 2024. It prompts customers who contact the Injuries Resolution Board by phone to opt-in for a customer service survey carried out by text message. The objectives are to gain insight into customer satisfaction and identify key learnings. This will enable us to identify opportunities for improvements and drive customer service enhancements based on customer insight and feedback.

Customer Complaints

As a public service organisation, excellent customer service is a top priority for the Injuries Resolution Board. We strongly believe that complaints and feedback are an excellent opportunity for growth and development for our organisation. Customer complaints are taken very seriously, and we endeavour to resolve any issues as efficiently as possible.

In 2023, we received 60 customer complaints, almost 30% fewer than in 2022. Most of those complaints were related to independent medical examinations with others relating to administrative delays and our process.

Advertising and Awareness

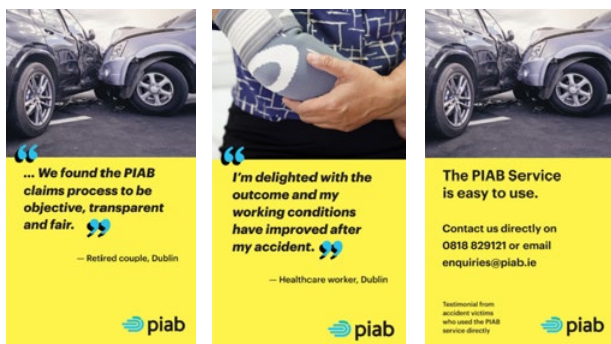
Our focus on customer service played a large role in an advertising campaign that ran in Quarter 2, 2023. The campaign focused on the testimonials of motor and employer accident victims who used our service, in order to increase the awareness of the service and make the stories more relatable. The campaign ran across digital and social media platforms over a 2–3 week period. The purpose of the campaign was to encourage familiarity with the service that would show a potential customer what some of the benefits of the service are from the perspective of a peer.

In February we ran a campaign for advertising our new mediation service across a number of publications included the Law Society Gazette, the Business Post and the Irish Times.

In April and May we ran a social campaign across X (Twitter) and Meta (Facebook and Instagram). The campaign ran for four weeks and achieved a total of 12,672,000 impressions across both platforms.

In October we ran a similar campaign but included LinkedIn with Meta and X. The campaign ran for four weeks and achieved a total of 9,595,200 impressions across all platforms.

Over 22 million impressions were achieved through our social media advertising in 2023.



Digital Transformation Programme

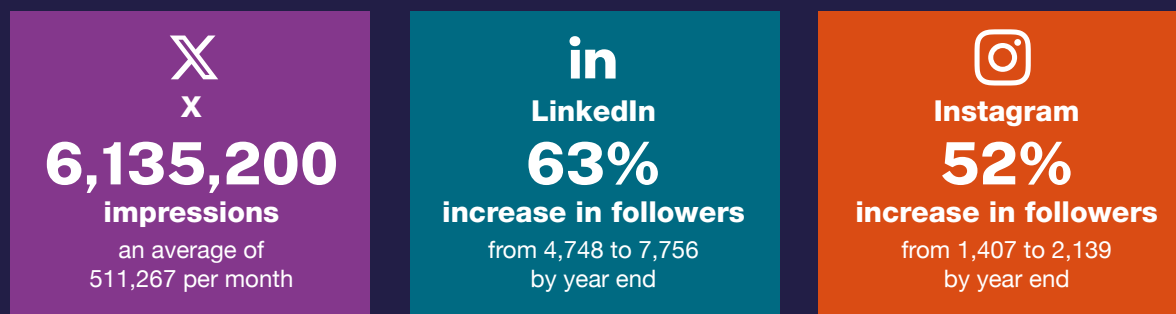
As the Injuries Resolution Board continues to grow, two decades since its establishment, there was a clear need to implement a comprehensive digital transformation programme. The aim was to increase our efficiency, our agility and to continue to provide great value to our customers and stakeholders.

In 2023 we expanded our services and a more efficient process was needed to continue to develop and improve on how those services are delivered. The digital transformation process we have embarked on, driven by our creative and innovative approach, will not only enhance our customer and employee experience related to our claims management system, but will also ensure greater efficiency across teams and a more streamlined process overall. By developing and enhancing our digital offerings we will improve case management efficiency, resulting in a more transparent process with quicker results.

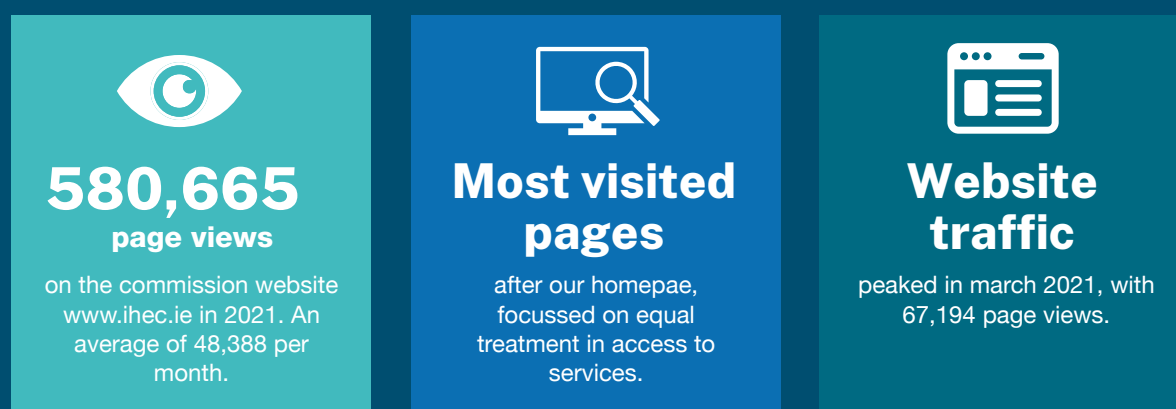
Following a competitive procurement process, in 2023 we engaged with a supplier to design and develop a new claims management system. The aim was to create a more efficient way to improve customer experience; by providing a complete view of all relevant information at various stages of the process, allow integrated workflows and business processes, and provide better information for all stakeholders. We engaged with the supplier to design a process that will work best for stakeholders, customers, and the Board. However, due to delays in the set deliverables, a decision was made to terminate the contract and restart the procurement process in late 2023. We are now coming to the end of that procurement process, and it is hoped that we will deliver a new system in mid-2025.

This multi-million-euro investment will provide more user intuitive, customer-centric systems, which will ultimately improve the service offered to all our stakeholders and will allow us to provide more online services. The new system will make it easier to submit information to the Board at all stages of the process and will give parties more information on the status of their claim. By improving online services, we will allow users to self-serve and better understand the next steps in the lifecycle of the claim. The new system will also support us through a better workflow of the claims process, allowing for a more efficient task management through automation. Ultimately, while we want to ensure our services are digital, they are not digital only. Our customer service team offers phone support and claims can be submitted via post as well as online. We also want to make sure no one is left behind, regardless of the channels they choose to interact with us and our services.

Social Media Highlights 2023



Website Highlights 2023



The Injuries Resolution Board website continued to play a central role in how we communicated with our stakeholders, and acted as a key information platform for our customers. In 2023, we had 213,224 visits to our website, with 2,836 new users visiting for the first time. The Injuries Resolution Board website saw 935,699 pageviews in 2023, with users spending an average of 1 minute and 25 seconds on the site. Analytics data shows that users are mostly looking for specific information, top visited pages being the solicitors portal, the claim application form and the homepage. By looking at the sources where users land on the Injuries Resolution Board website, we can see that there is increasing awareness of our website amongst the visitors, with the majority landing on it by looking it up directly via a search engine. A thorough analytics process was started at the end of 2023, to provide us with in depth understanding of the website performance and user behaviour.

Our website has comprehensive information on a range of options and ways people can use our service, including the Solicitor's Portal, information on the claims process and our new mediation service which was launched in December 2023.

The Injuries Resolution Board website saw **935,699** pageviews in 2023

Social Media

We use our social media channels to ensure clear and timely communication reaches our broad audience. Connecting with our audience is a top priority for Injuries Resolution Board, and social media provides the ideal platform for achieving this goal given the wide variety of audiences engaged with the different platforms.

In 2023, we increased our social media activity, engaging with followers through a series of campaigns and informative posts. These efforts provided useful information and ensured that we remained closely connected with our audience, keeping them informed and engaged.

In December, we rolled out our new branding to our social media platforms, as part of our transition from PIAB to the Injuries Resolution Board. This visual update helped clearly convey our rebranding efforts.

Currently, the Injuries Resolution Board maintains three active social media channels. The handles for these accounts have also been updated to reflect our rebrand – X, (@InjuriesRes) LinkedIn (Injuries Resolution Board) and Facebook (Injuries Resolution Board).

By the end of 2023, our posts had collectively garnered over **92,000** impressions across all platforms combined.



Our new mediation service launches today!

It will allow parties to a workplace related claim to explore a broader range of issues such as liability, the nature of the injuries sustained, required future treatments and so on.

Learn more: ow.ly/gX0550QiHB8



6

Working Better Together

In this chapter we will look at the way we work at the Injuries Resolution Board, which is underpinned by robust processes, strong governance and a huge amount of passion and dedication from our staff. The expertise and knowledge of our employees, as well as their diverse experiences and backgrounds create a strong foundation for the success of the Injuries Resolution Board.

How We Work

The success of the Injuries Resolution Board is built upon a foundation of hard working and committed staff who are valued for their expertise and dedication to their roles and our organisation's mission. To support our staff, the Board is committed to nurturing a positive and diverse working environment, where learning is supported, and staff are equipped with the right mix of skills and knowledge for their roles.

The staff team and the Chief Executive are also ably supported by the Board of Directors, which provides strategic oversight and governance leadership to the organisation to ensure maintenance of the highest standards of corporate governance. In keeping with this, the Board complies with the Code of Practice for the Governance of State Bodies. The Injuries Resolution Board is 100% self-funded organisation, funded by claimant and respondent fees. In 2023, we had an income of approximately €11.6 million. The Board provides budgetary oversight of the spend to ensure the organisation is providing value for money in the public interest.



Rosalind Carroll
Chief Executive



Helen Moran
Director of Business Support Services

- ICT
- Digital Transformation
- Customer Services and Applications
- Management of Outsourced Service Centre Contract



Stephen Watkins
Director of Corporate Services

- Corporate Services
- HR
- Research
- Communications



Eileen Devereux
Chief Operations Officer

- Assessment Services
- Mediation
- Legal



Bernadette King
Director of Finance

- Finance
- Audit
- Procurement

Organisation Development and Training

In order for the Injuries Resolution Board to achieve its strategic objectives, it is vital that the organisation has a highly skilled and engaged workforce. The training and development of staff is therefore a priority of the organisation. Injuries Resolution Board uses the Performance Management Development System (PMDS), which is a formal process of evaluation of work objectives, performance and identifying development needs. Support is provided to staff undertaking formal education in subjects relevant to their work through our Assisted Education Scheme under which several colleagues received full funding to complete certificates and diplomas in Employment Law, Managing Diversity and Inclusion and Digital Business Analysis. Our panel of mediators completed bespoke mediation training during the year. Continued emphasis was placed on building talent and capability through the provision of a wide range of future-focused learning and development opportunities. This included training in areas such as conducting workplace investigations, risk management, data protection, competency based interviewer training and pensions training. In addition, mentoring, coaching and professional skills training is ongoing within teams. Furthermore, we provide pre-retirement training courses for staff who have indicated they are intending to retire soon. Staff within 18 months to two years of retirement attended Pre-Retirement training courses.

We also funded two colleagues to attend the Young Ireland Programme in Ayr, Scotland in July. The aim of this annual event is to develop communication skills, inspire confidence, and broaden the intellectual horizons of people in the early years of their careers.

There was a continued emphasis on building talent and capability through the provision of a wide range of future-focused learning and development opportunities.

Recruitment

In 2023, the Injuries Resolution Board had a complement of 74 staff, with 5 roles being successfully recruited for in 2023. This included the recruitment of colleagues to two new functions which reflect the Board's enhanced remit under the Personal Injuries Resolution Board Act 2022 – a Research and Policy function and a mediation function

The Injuries Resolution Board appointed a Head of Research and Policy who is responsible for our research strategy and will undertake, commission, and collaborate on research in relation to personal injuries.

The Personal Injuries Resolution Board Act 2022 expanded our remit to provide for provision for a mediation process in respect of relevant claims. During 2023 a Mediation Team of three staff was established, who began work on the development of the new mediation service to support parties in reaching mutually acceptable agreements or outcomes to claims, that is in line with the legislation.

Injuries Resolution Board also welcomed a new member of staff to Human Resources filling a vacancy on the Human Resources Team.

Public Sector Equality and Human Rights Duty

Under the Public Sector Equality and Human Rights Duty all public bodies in Ireland are required to eliminate discrimination, promote equality and protect the human rights of their staff, customers, service users and everyone affected by their policies and plans. In 2023, the Injuries Resolution Board is continuing to shape the organisation's approach with regard to Public Sector Duty and are establishing a more formal approach to this through the establishment of a IHREC Steering Committee. Each business unit of the Injuries Resolution Board will be represented on this Committee to ensure a cross-organisational input into these efforts.

At present we have a number of measures across the organisation to support the equality and human rights duty. The Injuries Resolution Board strives to be an inclusive employer that supports all staff to be able to fully participate in the workforce.

Equality and Human Rights Duty Working Within Our Organisation.

Embracing Equality, Diversity and Inclusion not only strengthens the dynamic fibres of our organisation but enhances and informs our decision making and service delivery.

Injuries Resolution Board is dedicated to promoting and creating an environment where Equality, Diversity and Inclusion are central to how we work together. We recognise that ED&I is a key contributor to our culture, and our diversity makes us a more innovative and ultimately a better organisation.

Embracing Equality, Diversity and Inclusion not only strengthens the dynamic fibres of our organisation but enhances and informs our decision making and service delivery. We are proactive in our pursuit of a more equal, diverse, and inclusive working environment. This reflects not only a desire to diversify our workforce but also to ensure that our workforce is reflecting the wider society around us.

In the last National Disability Authority census 16% of staff in the Injuries Resolution Board had a declared disability as defined by Disability Act 2005. Injuries Resolution Board provides information and webinars on neurodiversity, mental health, hidden disabilities, and the social model of disability to educate all staff and promote a safe environment for staff to disclose disabilities. The Board has embraced the accessible functions of technology and hybrid working to assist colleagues in contributing to their full ability.

The Injuries Resolution Board have also trained staff for the roles of the Board's Disability Liaison Officer and Access Officer. The Disability Liaison Officer acts as a point of contact for employees with disabilities, their managers, and Human Resources.

The Disability Liaison Officer assists and supports staff with disabilities, in confidence, and their line managers by providing necessary information, appropriate contacts, guidance, suggestions and advice.

Injuries Resolution Board is committed to a policy of equal opportunity and adopts a positive approach to equality in the organisation.

We strive to create a culture where all staff have equal access to opportunity and feel comfortable and confident to be themselves at work. Our recruitment campaigns actively welcome applications from people from all backgrounds, and do not discriminate based on gender, age, race, religion, marital status, sexual orientation, disability, membership of the Travelling Community, or family status. Injuries Resolution Board is committed to having an inclusive workplace where every employee feels they belong. Reasonable accommodations will be provided to candidates, if required during the recruitment process.

In 2023, the Injuries Resolution Board provided awareness talks on LGBTQ+ issues to provide a comprehensive understanding of the LGBTQ+ community, the issues the LGBTQ+ community faces, and the impact of advancing our awareness.

To mark International Day of Persons with Disabilities in December we organised a talk for staff with a well renowned disability activist.

The Injuries Resolution Board's Dignity at Work policy also outlines our commitment to implementing and promoting measures to protect the dignity of employees and to encourage respect for others at work. Creating a work environment free from harassment, sexual harassment and bullying, by dealing effectively with any complaints of such conduct, and by welcoming diversity and promoting employment equality. The policy applies to all employees, contractors, customers, suppliers, and visitors to the workplace. This policy applies during working time and at work related social events, business trips and other work-related activities, whether they take place on our premises or not, and whether they take place during normal working hours.

Equality and Human Rights Duty for Customer Service User and Everyone Affected by our Policies and Services

As a public service body, it is vitally important that our services are accessible to all our service users. The Injuries Resolution Board offers multiple channels for communication and assistance. Through our customer service centre and through our application system we have escalation procedures for anyone who requires further assistance including claimants who are unrepresented.

The Injuries Resolution Board has a trained Access Officer who is responsible for providing and coordinating assistance and guidance to persons with disabilities accessing our services. They can also act as a point of contact for people with disabilities wishing to access such services. We provide information in multiple languages and our application is available in braille for anyone who requires it. Through our service centre and our own staff, we will support anybody with any difficulties they may face in utilising our services. Our staff have been provided with bias training. We are committed to further systemic improvements in this area and providing comprehensive and compassionate assistance to all our customers

Employee Wellbeing

The organisation holds regular talks for staff on topics of interest such as financial advice, nutritional advice, cancer awareness and prevention, and mental health. We marked International Women's Day in March 2023 by organising and hosting a webinar with 9 other state agencies, sharing the cost, and encouraging the spirit of collaboration between state agencies. Over 400 staff registered for the event which was a talk with Caroline Casey on embracing equality. Following the success of this event, in December 2023, we marked International Men's Day by organizing and hosting another shared webinar with the same 9 state agencies for a webinar with Brent Pope talking about mental health.

Gender Pay Gap

The Gender Pay Gap Information Act 2021 introduced the legislative basis for gender pay gap reporting in Ireland and requires organisations to report on their hourly gender pay gap. Organisations with over 250 employees are required to report by selecting a "snapshot" date in the month of June to base their reporting.

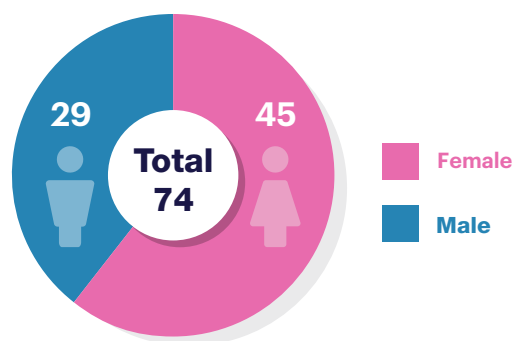
Though the Injuries Resolution Board has a staffing of 74 with 61% female employees, we actively monitor these figures to inform our insights in this regard.

The Injuries Resolution Board has equal pay for men and women in the same roles and employed on the same grade. We also have clear policies on all legislative leave and elective policies (Blended Working, Flexi Time, Work Options etc) to ensure equitable and transparent application to all colleagues which contributes to a proactive culture of gender equality in the workplace.

In 2023, there were ten staff availing of a reduced working week under Parental Leave or the elective benefit for work-sharing, with 70% of those availing of the benefits identifying as female. In addition to a reduced working week, 19 staff availed of unpaid block leave during the year under Parental Leave or the elective benefit of a shorter working year. To support staff financially in this regard, the Injuries Resolution Board allows staff to spread the cost over the tax year. One staff member was on career break during the year.

Representation on the five-member Executive Management Team was 80% in favour of females for this reporting period.

2023 Gender Profile By Grade:	Female	Male
Executive Management Team	4	1
Principal Officer	1	2
Assistant Principal Grade	11	13
Higher Executive Officer	13	6
Executive Officer	12	4
Clerical Officer	4	3



Corporate Governance

Risk

The Code of Practice for the Governance of State Bodies details the standards to which the Injuries Resolution Board must operate to in the area of Corporate Governance, Compliance and Risk. The Audit & Risk Committee met formally five times during 2023. The Risk Management Framework policy was reviewed and updated twice in 2023. A 'Substantial Assurance level' (the highest level of assurance) was achieved in September 2023 as part of an internal audit review of risk management in the organisation.

Code of Practice for the Governance of State Bodies

Injuries Resolution Board has developed and implemented procedures to ensure that it fully complies with the new Code which was introduced in August 2016 and formally adopted by the Board. Annually, the Board's Chairperson formally confirms to the Minister for Enterprise Trade and Employment the Injuries Resolution Board's compliance with the Code. This includes confirmation of compliance with and adherence to the Public Spending Code. As part of the requirements of the Code, an agreed Service Level Agreement has been developed with our parent Department.

Ethics in Public Office

The Injuries Resolution Board comes within the scope of the Ethics in Public Office Act, 1995 and has adopted procedures to comply with the Act. Accordingly, where required, Board Members and staff holding designated positions have completed statements of interest in compliance with the provisions of the Act. Furthermore, procedures are in place for the on-going disclosure of interests by Board Members which is a question asked at the outset of every Board meeting. Staff at management level are also subject to this legislation.

Protected Disclosures

The Injuries Resolution Board has in place a policy and procedures for the making of Protected Disclosures, which have been developed in line with the Protected Disclosures Act, 2014. This policy and procedures sets out the process by which a 'worker' of the Injuries Resolution Board can make a protected disclosure, what will happen when a disclosure is made and what the company will do to protect the discloser. Section 22 of the Protected Disclosures Act 2014 as amended by the Protected Disclosures (Amendment) Act 2022, requires the publication of an Annual Report each year relating to the number of protected disclosures made in the preceding year and any actions taken in response to such disclosures. Pursuant to this requirement, no protected disclosures were received in accordance with the provisions of the Protected Disclosures Act 2014 for the financial year from 1 January 2023 to 31 December 2023.

Prompt Payment of Accounts

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

Taxation

The Injuries Resolution Board confirms compliance with tax laws. Procedures are in place to ensure that the Injuries Resolution 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.

Data Protection

There were 27 non-notifiable data breaches reviewed and actioned in 2023. The Injuries Resolution Board as a data controller is committed to achieving the highest standards of data protection in relation to the personal and special category data it holds and processes in line with its obligations under the General Data Protection Regulation and Data Protection Act 2018. The Injuries Resolution Board has a Data Protection Privacy Notice published on its website and has comprehensive policies and processes in place to protect data and the rights of data subjects. Regular training and briefing of staff take place with data protection information integrated into operational processes and procedures. The Injuries Resolution Board compiled a significant number of Data Protection Impact Assessments during 2023 assessing the risk of various types of processing, the potential impact on data subjects, whether such processing could proceed and recommended controls where processing was proceeding. Personal Injuries Resolution Board uses technical and operational measures to safeguard its data including a firewall, anti-virus software, intrusion testing, password protection and encryption. Data Protection training was provided to new staff members in September 2023.

Freedom of Information

The Injuries Resolution Board is one of the organisations covered under the Freedom of Information Act 2014. The organisation responded to 21 requests both case-related and more general in 2023. Under its FOI Publication Scheme, the Injuries Resolution Board publishes information on its services, financial information, and procurement on its website.

Official Languages Act

The Injuries Resolution Board is committed to the promotion and use of the Irish language in the provision of our services and making those services accessible to the public. In 2021, the Official Languages (Amendment) Act was introduced which means that public sector bodies are now obliged to ensure that 20% of their annual paid advertising is in the Irish language and that 5% of their advertising budget is spent on advertising in Irish language publications. While the Injuries Resolution Board is committed to compliance with the Act, we did not meet our 20% requirement, however, we exceeded our 5% spend (17.36%) in Irish language publications. We have since engaged the services of a new advertising company and we are committed to achieving full compliance in 2024.

Safety, Health and Welfare at Work Act 2005

Injuries Resolution Board is committed to ensuring the safety and wellbeing of its employees by maintaining a safe place of work and by complying with the Safety, Health and Welfare at Work Act 2005 and with relevant codes of practice and guidelines where appropriate. Injuries Resolution Board conducted ergonomic assessments of onsite and remote work locations to assist colleagues conduct their duties in a safe environment. Reflecting its commitment to health and wellbeing, Injuries Resolution Board provided voluntary flu vaccines on site to all staff, webinars on Gut Health, healthy eating, skin cancer mitigation and facilitated manual handling to staff. Furthermore, the Board continued to fund an Employee Assistant Programme which provides confidential counselling, monthly wellbeing webinars and a dedicated website providing specialist information on issues such as diet, exercise, relationships, milestones in life.

Efforts in Sustainability and Combatting Climate Change

The Climate emergency is one of the most pressing global issues of our time and it is of vital importance that we all play our part in reducing our carbon footprint and maximising our energy efficiency. As a public sector organisation, we are committed to playing our part in reducing our energy consumption and throughout the year we have implemented a number of energy saving initiatives.

The Injuries Resolution Board's energy consumption at its premises consists solely of electricity used for heating/air conditioning, lighting and the operation of IT equipment. During 2023 we directly consumed 92,850 KWh of energy; this was a 15.5% decrease in electricity usage from 2022 and a 77.6% decrease since our baseline in 2009. The decrease in energy use resulted from several initiatives introduced including altering the air conditioning temperature and the closing of one of our office floors to staff one day a week.

The Injuries Resolution Board also makes other efforts in this area. From a communications and event management perspective, the organisation operates a digital first model, and, where physical copies of materials are deemed necessary, suppliers are required to provide credentials in relation to their "green" practices. Also, the organisation endeavours to host as many events as possible either online or in city centre locations that are adequately served by public transport routes to encourage the use of more sustainable travel options for all attendees.

During 2023 we directly consumed **92,850 KWh** of energy; this was a **15.5%** decrease in electricity usage from 2022 and a **77.6%** decrease since our baseline in 2009.

Governance and Financial Statements



Governance

Governance Statement & Board Member's Report Governance Statement and Board Members' Report

The organisation's name changed from the Personal Injuries Assessment Board (PIAB) to the Personal Injuries Resolution Board, following on from the commencement of the relevant provisions of the Personal Injuries Resolution Board Act 2022 on the 14th December 2023. The name change recognises the enhanced role of the organisation which the Personal Injuries Resolution Board Act 2022 provides for, including the introduction of mediation as a service.

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

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

How the Board operates – Role and responsibilities of the Board

The work and responsibilities of the Board are set out in the Terms of Reference of the Board, and also the schedule of matters specifically reserved for Board decision. In general, these incorporate the functions vested in the Board by the Act. Governance decisions such as the appointment of Committee members or the approval of policies, key strategic and financial decisions such as the approval of plans, or the commitment of significant resources, and risk oversight of the Injuries Resolution Board's activities. Standing items by the Board include:

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

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

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

- Approval of major purchases/contracts;
- Approval of any significant changes in accounting policies or practices;
- Approval of Annual Reports;
- Approval and monitoring of the Annual Budget;

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

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

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

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

The Board considers that the financial statements of the Injuries Resolution Board give a true and fair view of the financial performance and the financial position of Injuries Resolution Board at 31 December 2023.

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

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

Board Structure

The Board consists of a Chairperson, and nine ordinary (non-executive) members and the Chief Executive Officer. The Members of the Board are appointed by the Minister for Enterprise, Trade & Employment for a defined period in accordance with the terms of the Personal Injuries Assessment Board Act 2003, as amended. The Board met nine times during 2023. During 2023 the Board also met on occasion, without Executive Members present, to discuss any matters that were deemed relevant. The table on the next page lists all Board Members who served in 2023, their attendance record at Board meetings and their term.

Board Evaluation

An external Board evaluation of the Board performance in line with the Code of Practice for the Governance for State Bodies was completed for 2023 and separately an effectiveness review of the Audit & Risk committee's performance. The findings of both evaluations are reported back to Board members. The Board evaluation incorporated an analysis of the gender, diversity and skills mix within the Board. At year end the Board met the Government target of 40% representation of each gender in its membership.

Full List of Board Members during 2023

Name	Membership Type	Attendance Record	Term dates
Dermot Divilly	Chairperson	8 out of 9	16th July 2018 – 15th July 2024
Rosalind Carroll	Chief Executive Officer/Board member	9 out of 9	N/A
Aengus Cummins	Board member	8 out of 9	30th April 2019 – 23rd May 2027
Conor Faughnan	Board member	8 out of 9	8th November 2022 – 7th November 2026
Karen Furlong	Board Member	7 out of 9	29th November 2019 – 28th November 2024
Nuala E. Jackson*	Board member Vice Chairperson	6 out of 7	1st August 2018 – 31st July 2022 1st August 2022 – 23rd October 2023
Cathal Lafferty	Board member	8 out of 9	1st January 2020 – 31st December 2024
Marion O'Brien	Board member	9 out of 9	8th August 2021 – 7th August 2025
Dr Jean O'Sullivan	Board member	7 out of 9	1st August 2018 – 31st July 2026
John Shine	Board member	8 out of 9	8th December 2020 – 7th December 2025
Jonathan Small	Board member	9 out of 9	1st March 2022 – 28th February 2025
Stephen Watkins	Secretary to the Board	9 out of 9	N/A

*Nuala Jackson resigned from the 23rd of October. At the end of the year there was one vacancy on the Board.

Board Committees

The Board has also established an Audit and Risk Committee comprising a number of Board Members. The role of this committee is to support the Board in relation to its responsibilities for issues of risk, control and governance and associated assurance. The Committee is independent from the financial management of the organisation. In particular the Committee ensures that the internal control systems including audit activities are monitored actively and independently. The Committee reports to the Board after each meeting, and formally in writing annually. The Committee met five times during 2023. Details of Committee membership during the year are as follows:

Audit and Risk Committee Members 2023

Member	Tenure on Committee	Meetings attended
Cathal Lafferty (Chairperson)	Full year	4 out of 5
Aengus Cummins	Full year	4 out of 5
Karen Furlong	Full year	5 of 5
John Shine	Full year	5 of 5

Secretary: Stephen Watkins

Board Fees and Expenses

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

	2023	2022
Dermot Divilly – Chairperson	€20,520	€20,520
Aengus Cummins	€11,970	€11,970
Karen Furlong	€11,970	€11,970
Nuala E. Jackson	€9,975	€11,970
Conor Faughnan	€7,695	€1,112
Total	€62,130	€57,542

The following Board Members were paid no fees during 2023 due to the application of One Person One salary principle: Cathal Lafferty, Dr Jean O’Sullivan, John Shine, Marion O’Brien, Jonathan Small and Rosalind Carroll.

Disclosures required by the Code of Practice for the Governance of State Bodies (2016)

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

Employee Short-Term Benefits Breakdown

Thirty-eight staff members were paid short-term benefits in excess of €60,000 each during 2023. These payments are analysed in note three of the Injuries Resolution Board’s 2023 Financial Statements. For the purpose of this disclosure, employee short-term benefits during 2023 include salary, but exclude employer’s PRSI.

Consultancy Costs

Consultancy costs include the cost of external advice to management and exclude outsourced business as usual functions.

Consultancy	2023	2022
IT Consultancy	€336,295	€57,789
HR Consultancy	€30,117	€20,729
Total	€366,412	€78,518

IT consultancy costs include technical advice and resource costs relating to the Injuries Resolution Board’s digital transformation project. Also included are costs associated with system and process changes required as a result of the implementation of the Personal Injuries Resolution Board Act 2022. Included in HR consultancy is work associated with the Injuries Resolution Board working from home/blended work policy.

Legal Costs and Settlements

Legal costs incurred by the Board in 2023 are detailed in the table below. The primary driver of legal costs for the Injuries Resolution Board is in carrying out our functions under the Act in particular the assessment of Personal Injury Claims.

The main component of legal costs are Judicial Reviews. The Injuries Resolution Board is involved in various legal challenges under sections of the Personal Injuries Resolution Board Act 2003 (as amended) and in relation to the Personal Injuries Guidelines which were effective from 24th of April 2021. Following on from this date a number of legal challenges relating to the application of the Personal Injuries Guidelines have been made.

Legal costs of €303,047 relate to Judicial Review costs incurred by the Injuries Resolution Board during 2023 with €708,560 relating to an increased provision made to cover potential third-party legal costs arising from Judicial Reviews.

Other legal support costs of €205,584 were incurred during the year in carrying out our functions under the Act including the Personal Injuries Resolution Board Act 2022. Legal costs were also incurred in relation to other areas such as data protection and in the day-to-day running of the organisation.

Legal costs and settlements	2023	2022
Other Legal support	€205,584	€113,797
Judicial Review – Injuries Resolution Board	€303,047	€1,088,277
Judicial Review - Third party provisions	€708,560	€ (440,000)
Total	€1,217,191	€762,074

Travel and Subsistence Expenditure

Travel and subsistence expenditure is set out below.

Travel & Subsistence	2023	2022
National	€8,008	€3,413
International	€1,052	€613
Total	€ 9,060	€4,026

There were no Board-related expenses paid during the year.

Hospitality Expenditure

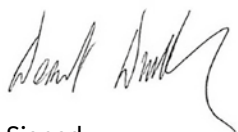
Hospitality expenditure includes room hire and refreshments provided to staff for information sessions and workshops.

Hospitality Expenditure	2023	2022
Staff	€5,191	€7,602
Room Hire	€1,180	€ 238
Total	€6,371	€7,840

Statement of Compliance

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

The Injuries Resolution Board operated in compliance with the Code of Practice for the Governance of State Bodies for 2023.



Signed

Dermot Divilly
Chairperson

10th July 2024



Signed

Rosalind Carroll
Chief Executive

10th July 2024

Financial Statements

for the financial year ended 31 December 2023

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General Information

Members of the Board

Dermot Divilly (Chairperson)
Rosalind Carroll (CEO)
Nuala Jackson (*Membership ceased 23 October 2023*)
Dr. Jean O'Sullivan
Aengus Cummins
Karen Furlong
Cathal Lafferty
John Shine
Marion O'Brien
Jonathan Small
Conor Faughnan

Office

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

Auditor

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

Bankers

Bank of Ireland 4 – 6 Priorsgate Main Street Tallaght Dublin 24 D24 XY66	Permanent TSB 56-59 St. Stephens Green Dublin 2 D02 H489
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Solicitors

Eversheds Sutherland
One Earlsfort Centre
Earlsfort Terrace
Dublin 2
D02 X668

Website

www.injuries.ie

Statement on Internal Control

Responsibility for system of internal control

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

Purpose of the System of Internal Control

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

The system of internal control, which accords with guidance issued by the Department of Public Expenditure, NDP Delivery and Reform, has been in place in Injuries Resolution Board for the year ended 31 December 2023 and up to the date of approval of the financial statements.

Control Environment

The Injuries Resolution Board has an Audit and Risk Committee (ARC) which is comprised of non-executive Board members. The Board includes people possessing recent and relevant financial experience including competency in accounting, audit and risk management. The ARC met five times in 2023.

The Injuries Resolution Board has also established an internal audit function which is adequately resourced and conducts a programme of work agreed with the ARC. The internal Audit function operates in accordance with an approved Internal Audit Charter, which is consistent with the provisions set out in the Code and conducts a programme of work agreed with the ARC, and the Board. The plan takes account of areas of potential risk identified by the Organisation having regard to its strategic objectives and risk management framework. The internal auditor provides the Audit and Risk Committee with regular reports on assignments carried out.

These reports highlight deficiencies or weaknesses, if any, in the system of internal control and the recommended corrective measures to be taken where necessary.

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

Risk and Control Framework

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

A risk register is in place which identifies the key risks facing Injuries Resolution Board and these have been identified, evaluated and graded according to their significance. The register is reviewed and updated by the ARC regularly throughout the year and during 2023 it was reviewed at all meetings. The outcome of these reviews are used to plan and allocate resources to ensure risks are managed to an acceptable level.

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

Statement on Internal Control *(continued)*

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

- a Chief Risk Officer is in place to oversee the implementation of the risk management framework,
- procedures for all key business processes have been documented,
- there is an appropriate budgeting system with an annual budget, which is reviewed and approved by the Board
- the annual budget is kept under review by senior management and the Board
- a comprehensive monthly reporting system including financial and operational reporting, which is kept under review by senior management
- financial and operational responsibilities have been assigned at management level with corresponding accountability,
- regular internal audit reviews on financial, operational and compliance controls and procedures.
- there are systems aimed at ensuring the security of the information and communication technology systems,
- there are systems in place to safeguard the assets.

Ongoing Monitoring and Review

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

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

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

Procurement

I confirm that Injuries Resolution Board has policies and procedures in place to ensure compliance with current procurement rules and guidelines. To ensure best practice in this area, training is provided to key staff and management on a regular basis. Injuries Resolution Board has a contract register and procurement plan in place to enable proper planning for procurement of contracts. During the year, expenditure of €12,615,619 was incurred on goods and services.

Matters arising regarding Controls over procurement are highlighted under Internal Control Issues on next page.

Internal Control Issues

Non Compliant Procurement

During 2023 expenditure of €205,584 was incurred in relation to legal services where procedures employed were not fully compliant with procurement guidelines. This resulted in a contract for legal services being extended on the same terms with the current provider.

The reasons for this extension was primarily due to the level of Judicial Reviews that were being issued against the Board following on from the introduction of the Personal Injuries Guidelines. This allowed for the retention of current advisers on the basis that we were still awaiting decision in two key cases which were appealed, one to the Court of Appeal and the second to the Supreme Court.

The Injuries Resolution Board were also facing significant legislative changes as a result of the commencement of key elements of the Personal Injuries Resolution Board Act 2022. In particular the introduction of Section 11 amendments to the application form which commenced on the 4th September 2023 and the introduction of mediation which commenced on the 14th December 2023.

Due to the significant legal support required as outlined above, the services contract was extended during the year. We intend on re-tendering for legal services during 2024.

There were no instances of non-compliant procurement in 2022.

Review of Effectiveness

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

I confirm that the Board conducted an annual review of the effectiveness of the system of internal controls for 2023 in March 2024.

Signed on behalf of the Board;



Dermot Divilly
Chairperson

10th July 2024



Ard Reachtaire Cuntas agus Ciste Comptroller and Auditor General

Report for presentation to the Houses of the Oireachtas

Personal Injuries Resolution Board

Opinion on the financial statements

I have audited the financial statements of the Personal Injuries Resolution Board for the year ended 31 December 2023 as required under the provisions of section 77 of the Personal Injuries Assessment Board Act 2003. The financial statements comprise

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

In my opinion, the financial statements give a true and fair view of the assets, liabilities and financial position of the Personal Injuries Resolution Board at 31 December 2023 and of its income and expenditure for 2023 in accordance with Financial Reporting Standard (FRS) 102 — *The Financial Reporting Standard applicable in the UK and the Republic of Ireland*.

Basis of opinion

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

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

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

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

I have nothing to report in that regard.

Andrew Harkness
For and on behalf of the
Comptroller and Auditor General
15 July 2024

Appendix to the report

Responsibilities of Board members

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

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

Responsibilities of the Comptroller and Auditor General

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

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

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

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

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

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

I report by exception if, in my opinion,

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

Information other than the financial statements

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

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

Reporting on other matters

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

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

Statement of Income and Expenditure and Retained Revenue Reserves

for the Year Ended 31 December 2023

	Notes	2023 €	2022 €
Income			
Fee Income - Claimant	2 (a)	1,095,500	1,004,398
Fee Income - Respondent	2 (a)	11,959,767	9,319,962
Exchequer Funding	2 (b)	0	2,021,004
Other Income	2 (c)	16,603	5,809
Total Income		13,071,870	12,351,173
Expenditure			
Salaries, Pensions and Related Expenses	3	7,024,225	6,319,524
Board Members' Fees	4	62,130	57,542
Outsourced Service Centre Costs	5	1,393,402	1,355,137
Claims Related Costs	5	7,395,588	6,707,954
Claims Related Costs Reimbursed	5	(7,392,629)	(6,703,942)
Accommodation & Building	5	438,618	410,249
Recruitment, Training & Other HR Costs	5	45,340	105,440
Information, Research & Communication	5	619,892	479,628
Audit & Professional & Consultancy Costs	5	448,943	251,295
Legal Fees	5	1,217,191	762,074
IT & Telecommunication Costs	5	883,946	892,654
General Administration	5	324,510	394,706
Depreciation	6	167,020	191,886
Total Expenditure		12,628,177	11,224,147
Surplus for the year		443,693	1,127,026
Balance at 1 January		1,446,202	1,625,311
Transfer to Capital Reserve	15	(400,000)	(1,100,000)
Transfer from / (to) Capital Account	16	105,514	(206,135)
BALANCE AT END OF YEAR		1,595,409	1,446,202

All income and expenditure for the year relates to continuing activities at the reporting date.

The Statement of Cash Flows and notes 1-20 form part of these financial statements.

On Behalf of the Board

On Behalf of the Board



Dermot Divilly
Chairperson

10th July 2024



Rosalind Carroll
Chief Executive Officer

10th July 2024

Statement of Comprehensive Income

for the Year Ended 31 December 2023

	Notes	2023 €	2022 €
Surplus for the year		443,694	1,127,026
Experience losses on retirement benefit obligations	14	(466,000)	(1,185,000)
Change in assumptions underlying the present value of retirement benefit obligations	14	(2,320,000)	17,970,000
Adjustment to Deferred retirement benefits funding		2,786,000	(16,785,000)
Comprehensive Income for the year		443,693	1,127,026

The Statement of Cash Flows and notes 1 - 20 form part of these financial statements.

On Behalf of the Board



Dermot Divilly
Chairperson

10th July 2024

On Behalf of the Board



Rosalind Carroll
Chief Executive Officer

10th July 2024

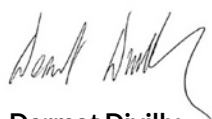
Statement of Financial Position

as at 31 December 2023

	Notes	2023 €	2022 €
Non Current Assets			
Fixed Assets	6	907,738	501,239
Current Assets			
Receivables	7 (a)	2,467,001	2,334,692
Cash and cash equivalents	7 (b)	11,588,414	9,193,598
Total Current Assets		14,055,415	11,528,289
Current Liabilities (amount falling due within one year)			
Payables	8	(7,273,081)	(5,582,406)
Net Current Assets		6,782,334	5,945,883
Creditors: amounts falling due after one year			
Provisions	10	(1,794,042)	(1,115,002)
Retirement Benefits			
Retirement Benefit Obligations	14	(31,651,000)	(26,837,000)
Deferred Retirement Benefit Funding Asset	14	31,651,000	26,837,000
Total Net Assets		5,896,030	5,332,119
Financed By:			
Retained Revenue Reserves	15	1,595,409	1,446,202
Capital Reserve	15	3,392,883	3,384,679
Capital Account	16	907,738	501,239
Total Financed by:		5,896,030	5,332,120

The Statement of Cash Flows and notes 1-20 form part of these financial statements.

On Behalf of the Board



Dermot Divilly
Chairperson

10th July 2024

On Behalf of the Board



Rosalind Carroll
Chief Executive Officer

10th July 2024

Statement of Cash Flows

for the Year Ended 31 December 2023

	Notes	2023 €	2022 €
Cash Flows from Operating Activities			
Surplus for the Financial Year		443,693	1,127,026
Adjustments for:			
Depreciation		167,020	191,886
Interest received	2 (c)	(9,380)	0
(Increase) / Decrease in Receivables		(132,309)	(480,104)
Increase / (Decrease) in Payables		1,690,674	973,404
Increase / (Decrease) in Provision for Liabilities		679,040	(440,000)
Cash from Operating activities		2,838,738	1,372,213
Cash Flows from Investing Activities			
Purchase of Tangible Fixed Assets	6	(573,715)	(29,572)
Disposal of Fixed Assets	6	196	1,843
Transfer from Capital Reserve	15	120,217	(359,709)
Net Cash Flows from Investing Activities		(453,302)	(387,438)
Cash Flows from Financing Activities			
Interest Received	2 (c)	9,380	0
Rounding Difference		0	1
Net Cash inflow from Financing Activities		9,380	1
Net Increase in cash and cash equivalents		2,394,816	984,775
Cash and cash equivalents at 1 January		9,193,598	8,208,823
Cash and cash equivalents at 31 December		11,588,415	9,193,598

Notes to the Financial Statements

for the Year Ended 31 December 2023

1 Statement of Accounting Policies

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

General Information

The organisations name changed from the Personal Injuries Assessment Board (PIAB) to the Personal Injuries Resolution Board, following on from the commencement of the relevant provisions of the Personal Injuries Resolution Board Act 2022 on the 14th December 2023. The Personal Injuries Resolution Board was set up under the Personal Injuries Assessment Board, Act 2003 as amended with a head office at Grain House, Exchange Hall, Belgard Square North, Tallaght, Dublin 24.

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

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

Personal Injuries Resolution Board is a Public Benefit Entity.

Statement of Compliance

The financial statements of Personal Injuries Assessment Board for the year ended 31 December 2023 have been prepared in accordance with the Financial Reporting Standard applicable in the United Kingdom and Ireland (FRS 102) issued by the Financial Reporting Council.

Basis of Preparation

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

Going Concern

The financial statements have been prepared on a going concern basis (see Note 18).

Income

Claimant fees:

Claimant fees are recognised on a cash receipts basis on receipt of an application to register a claim with the Personal Injuries Resolution Board.

Respondent fees:

Respondent fees are recognised on consent to the Injuries Resolution Board process in the year when the income is earned and the service provided.

In line with FRS102 section 23, rendering of services, Respondent fee income is recognised to the extent that it is probable that the economic benefits will flow to the Injuries Resolution Board and the revenue can be measured reliably. The following criteria is met before revenue is recognised:

Notes to the Financial Statements

for the Year Ended 31 December 2023

1 Statement of Accounting Policies *(continued)*

Rendering of services:

Revenue from a contract to provide services is recognised in the period in which the services are provided in accordance with the stage of completion of the contract.

Respondent fee income is recognised in the period in which the income is earned and the service provided, based on the stage of completion method for rendering of services.

Fees paid in advance are treated as deferred income and are reported as a current liability. This income is released to the Statement of Income and Expenditure and Retained Revenue Reserves on delivery of the service.

Exchequer Funding

Exchequer Funding is recognised on an accruals basis.

Prepaid Costs

The Injuries Resolution Board incurs costs prior to receiving consent. At year-end, the board estimates the proportion of those cases that will result in consent and treats these costs as prepayments.

Tangible Fixed Assets

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

Leasehold Improvements	Remaining years of the lease	Straight Line
IT Hardware/Software	25.00%	Straight Line
Office Equipment	20.00%	Straight Line
Fixtures & Fittings	12.50%	Straight Line
Office Furniture	12.50%	Straight Line
System under development		Not Depreciated

The costs of system under development are capitalised to the extent that they satisfy the requirements of FRS102 for capitalising intangible assets other than goodwill. Depreciation at the rate shown for software development is charged from the point at which the development is complete and the system is put into service.

Taxation

The Personal Injuries Resolution 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 Statement of Income and Expenditure and Retained Revenue Reserves.

Notes to the Financial Statements

for the Year Ended 31 December 2023

1 Statement of Accounting Policies (*continued*)

Operating Lease

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

Receivables

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

Employee Benefits

Short Term Benefits

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

Critical Accounting Judgements and Estimates

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

Impairment of Tangible Fixed Assets

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

Depreciation and Residual Values

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

Provisions

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

Notes to the Financial Statements

for the Year Ended 31 December 2023

1 Statement of Accounting Policies *(continued)*

Retirement Benefit Obligation

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

The assumptions can be affected by:

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

Retirement Benefits

Nature of Schemes

Personal Injuries Resolution 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 and Public Expenditure & Reform in 2008. The Spouses' and Children's' Contributory Pension scheme was approved in 2009.

Personal Injuries Resolution Board operates the Single Public Service Pension Scheme (Single Scheme). This is the defined benefit scheme for pensionable public servants appointed on or after 1 January 2013.

Scheme Characteristics

The schemes have a number of specific characteristics:

Model Scheme:

- The Injuries Resolution 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 2023 was 25% of gross pay, 30% for staff on PRSI Class B and D.
- There is a commitment from the Department of Enterprise, Trade and Employment with the agreement of the Department of Finance, that the Exchequer will meet the cost of benefits as they fall due.

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

Single Public Service Pension scheme:

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

Notes to the Financial Statements

for the Year Ended 31 December 2023

1 Statement of Accounting Policies (*continued*)

For the purposes of reporting in accordance with Financial Reporting Standard 102, an update of the actuarial review was completed as at 31st December 2023.

Scheme Liabilities

Model Scheme and Single Scheme liabilities represented by the present value of future payments earned by The Injuries Resolution Board Staff to date are measured on an actuarial basis using the projected unit method.

Pension costs reflect benefits earned by the Injuries Resolution Board staff in the period and are shown net of employee pension contributions, which are retained by the Department. The amount to be included in the financial statements for the Deferred Exchequer Retirement Benefit Asset is estimated at an amount equal to the estimate of the obligation for the pension scheme liabilities.

Scheme Actuarial Gains or Losses

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

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

Capital Reserve

In accordance with the provisions of Section 74A(1) of the Personal Injuries Assessment Board Amendment Act 2019, the Minister of the Department of Enterprise, Trade and Employment authorised, with the consent of the Minister for Public Expenditure, NDP Delivery and Reform, the Personal Injuries Resolution Board (Injuries Resolution Board) to retain its current level of reserves for the purposes of expenditure by Injuries Resolution Board in the performance of its functions.

In that regard Injuries Resolution Board established a capital reserve as set out in Note 15.

Capital Account

The Capital Account represents the unamortised value of income used for capital purposes. Transfers between revenue reserves and capital reserves are made annually to equate to the capital funding of fixed assets.

Notes to the Financial Statements

for the Year Ended 31 December 2023

2(a) Fee Income

	2023 €	2022 €
Claimant Fee Income	1,095,500	1,004,398
Respondent Fee Income	13,512,380	9,865,197
Deferred Income in the current year	(5,048,081)	(3,665,770)
Deferred Income - Amount released to income in the year	3,495,468	3,120,535
	13,055,267	10,324,360

Claimant Fee Income:

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

The fee for an application in electronic form is €45.

Respondent Fee Income:

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

Deferred Income

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

2(b) Exchequer Funding

Exchequer funding of €2,021,004 was provided in 2022 to Injuries Resolution Board from the Department of Enterprise, Trade and Employment (Subhead C9). This funding was to mitigate the effects of reducing volumes and the Covid-19 pandemic.

2(c) Other Income

	2023 €	2022 €
Miscellaneous income	7,223	5,809
Interest Receivable	9,380	0
	16,603	5,809

Notes to the Financial Statements

for the Year Ended 31 December 2023

3 Salaries, Pensions and Related Expenses

	2023 €	2022 €
Injuries Resolution Board Staff Salaries	5,187,003	4,749,861
Employer Superannuation Contributions	1,187,923	1,104,193
Employer PRSI Contributions	509,100	465,470
Temporary Staff	140,199	0
	7,024,225	6,319,524

* €253,799 of Additional Superannuation Contribution (ASC) has been deducted and paid over to the Department of Enterprise, Trade and Employment in 2023, €220,976 was deducted and paid over in 2022.

	2023 €	2022 €
Staff Numbers		
Average Staff directly employed by Injuries Resolution Board	75	75

	2023 €	2022 €
Emoluments of Chief Executive		
Rosalind Carroll - Salary	174,286	161,616
	174,286	161,616
Travel & Subsistence (T&S)	1,774	671

The Chief Executive Rosalind Carroll is a member of the Public Service Model Pension Scheme (see Note 14) and her pension entitlements are in accordance with the terms of the Scheme. The value of retirement benefits earned in the period is not included above.

Key Management Personnel

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

	2023 €	2022 €
The total aggregate salary & short term benefits	675,948	593,867

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

Notes to the Financial Statements

for the Year Ended 31 December 2023

3 Salaries, Pensions and Related Expenses *(continued)*

Employee Short-Term Benefits Breakdown

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

Salary Range From - To €	Number of employees	
	2023	2022
60,000 - 69,999	9	8
70,000 - 79,999	2	1
80,000 - 89,999	6	12
90,000 - 99,999	7	8
100,000 - 109,999	7	0
110,000 - 119,999	3	4
120,000 - 129,999	2	1
130,000 - 139,999	1	0
140,000 - 149,999	0	0
150,000 - 159,999	0	0
160,000 - 169,999	0	1
170,000 - 179,999	1	0
	38	35

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

	2023 €	2022 €
Employer Pension Contribution		
Model Scheme	1,035,922	998,410
Single Public Service Pension Scheme	152,001	105,783
	1,187,923	1,104,193

Notes to the Financial Statements

for the Year Ended 31 December 2023

4 Board Fees and Expenses

	2023 €	2022 €
Board Fees	62,130	57,542
By Board Member		
Dermot Divilly - Chairperson	20,520	20,520
Aengus Cummins	11,970	11,970
Karen Furlong	11,970	11,970
Nuala Jackson	9,975	11,970
Conor Faughnan	7,695	1,112
	62,130	57,542

The following Board Members were paid no fees during 2023: Dr. Jean O'Sullivan, Cathal Lafferty, John Shine, Marion O'Brien, Jonathan Small and Rosalind Carroll due to the application of one person one salary principle.

There were no Board related expenses paid during the year.

5 Expenditure

	2023 €	2022 €
Outsourced Service Centre Costs		
Outsourced Service Centre Costs	1,393,402	1,355,137
	1,393,402	1,355,137

	2023 €	2022 €
Claims Related Costs		
Claim related Medical Fees	7,205,331	6,573,952
Claim related Other Costs	187,299	175,678
Prepaid Claim Processing Costs in the current year	(135,357)	(138,316)
Prepaid Claim Processing Costs - released in the year	138,316	96,640
	7,395,588	6,707,954

Notes to the Financial Statements

for the Year Ended 31 December 2023

5 Expenditure (continued)

As part of the Injuries Resolution Board's process it retains the services of a range of professional practitioners primarily medical practitioners. The costs of these services are reimbursed to Injuries Resolution Board by the Respondent. The level of medical claim processing costs varies per claim. Due to the average timeline of the process there will be claim processing costs incurred in 2024 relating to consents received in 2023, these costs are not provided for in the financial statements.

Claim processing costs incurred include a portion of pre-consent costs which are prepaid into 2024.

The prepayment is released when the respondent fee is received.

	2023 €	2022 €
Claims Related Costs Reimbursed		
Claim related Costs Reimbursed / to be reimbursed	(7,392,629)	(6,703,942)
	(7,392,629)	(6,703,942)

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

	2023 €	2022 €
Accommodation & Building Costs		
Rent, Rates and Service Charges	319,466	293,064
Cleaning & Security	45,229	44,569
Light & Heat, Maintenance and Other	73,923	72,616
	438,618	410,249

	2023 €	2022 €
Recruitment, Training & Other HR Costs		
Training, Education and other costs	36,974	45,655
Advertising, Interviews and other recruitment costs	8,366	59,785
	45,340	105,440

Notes to the Financial Statements

for the Year Ended 31 December 2023

5 Expenditure *(continued)*

	2023 €	2022 €
Information, Research & Communication Costs		
Reform Programme Costs	273,422	27,941
Advertising - Other	162,909	306,289
PR and Communications	112,635	76,341
Research and Data Analysis	51,587	48,990
Publications	15,088	18,157
Public Awareness	4,251	1,910
	619,892	479,628

	2023 €	2022 €
Audit & Professional & Consultancy Costs		
Professional Fees	(29,319)	116,882
Procurement Support	49,822	398
Internal Audit	39,606	35,301
External Audit	17,000	17,000
Finance Consultancy	5,422	3,196
	82,532	172,777

	2023 €	2022 €
Consultancy Costs		
IT Consultancy	336,295	57,789
HR Consultancy	30,117	20,729
Other Consultancy	0	0
	366,411	78,518
Total	448,943	251,295

Consultancy costs include the cost of external advice to management and exclude outsourced 'business-as-usual' functions.

Notes to the Financial Statements

for the Year Ended 31 December 2023

5 Expenditure (continued)

	2023 €	2022 €
Legal Fees		
Other Legal Support	205,584	113,797
Judicial Review - Injuries Resolution Board	303,047	1,088,278
Legal Provision (Note 10)	708,560	(440,000)
	1,217,191	762,074
	2023 €	2022 €
IT & Communication Costs		
IT Licence Fees	359,841	425,515
IT Support & Maintenance	286,784	295,861
Hosting Costs	106,506	88,256
Telecom Costs	65,530	52,271
IT Security	48,505	12,915
IT Other Costs	9,791	11,155
Managed Print Service	6,989	6,681
	883,946	892,654
	2023 €	2022 €
General Administration Costs		
Postage	126,039	125,374
Insurances	81,461	58,395
Bad Debts	50,067	60,451
Provision for Doubtful Debts	9,161	103,180
Bank Interest & Charges	17,085	14,266
Office Stationery	15,776	8,002
Travel & Subsistence Staff- National	8,008	3,413
Travel & Subsistence Staff- International	1,052	613
Entertainment/Hospitality - Staff	6,371	7,840
Prompt Payment Interest	5,804	5,887
Sundry Costs	3,489	5,478
Loss on Disposal of Fixed Assets	197	1,807
	324,510	394,706

Notes to the Financial Statements

for the Year Ended 31 December 2023

6 Fixed Assets

	Leasehold Improvements	IT Hardware / Software	System Under Development	Office Equipment	Office Furniture	Total
	€	€	€	€	€	€
Cost						
As at 1 January	634,221	1,296,667	295,104	50,173	63,052	2,339,217
Additions	0	22,326	512,013	39,376	0	573,715
Disposals	0	(6,359)	0	0	0	(6,359)
As at 31 December	634,221	1,312,635	807,117	89,549	63,052	2,906,573
Accumulated Depreciation						
As at 1 January	539,088	1,206,260	0	48,155	44,475	1,837,978
Charge	95,133	58,990	0	5,263	7,634	167,020
Disposals	0	(6,163)	0	0	0	(6,163)
As at 31 December	634,221	1,259,087	0	53,418	52,109	1,998,836
Net Book Value*						
As at 31 December 2023	0	53,548	807,117	36,131	10,943	907,738
As at 31 December 2022	95,132	90,408	295,104	2,018	18,577	501,239

* See Note 16 - Capital Account

System under development represents the costs of developing a new claims management system for the Injuries Resolution Board. No depreciation will be calculated on this asset until development is complete and the system is put into service.

7(a) Receivables

	2023 €	2022 €
Amounts falling due within one year		
Fees Receivable: Respondent Fees	1,338,600	1,335,300
Claim Related Fees	836,934	868,134
Provision for Doubtful Debts	(262,954)	(253,792)
Prepayments	534,318	382,255
Other Debtors	20,102	2,795
	2,467,001	2,334,692

7(b) Cash & Cash Equivalents

	2023 €	2022 €
Cash at bank and in hand	8,588,414	2,148,594
Short Term Deposits	3,000,000	7,045,004
	11,588,414	9,193,598

Notes to the Financial Statements

for the Year Ended 31 December 2023

8 Payables

	2023 €	2022 €
Amounts falling due within one year		
Payables	235,060	239,848
Accruals	1,125,026	1,051,414
Taxes & Social Welfare	249,912	264,480
Pension Liability *	133,631	122,191
Other Creditors	184,311	119,592
Solicitors Portal - Payments on Account	126,757	119,111
Deferred Income (Note 9)	5,218,383	3,665,770
	7,273,081	5,582,406

* Employer and Employee Pension and ASC contributions.

9 Deferred Income

	2023 €	2022 €
Opening Balance	3,665,770	3,120,535
Deferred Income provided in the year (Note 2 a)	5,048,081	3,665,770
Amount released to income in the year (Note 2 a)	(3,495,468)	(3,120,535)
Closing Balance	5,218,383	3,665,770

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

Notes to the Financial Statements

for the Year Ended 31 December 2023

10 Provisions

	2023 €	2022 €
Opening Balance	1,115,002	1,555,002
Additional Provision (Note 5)	764,040	232,500
Utilised In Year	(29,520)	0
Decrease in Provision (Note 5)	(55,480)	(672,500)
Closing Balance	1,794,042	1,115,002

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

The provisions above are based upon an assessment of the potential costs of defending known actions/claims, to the extent that such costs can be reliably estimated.

The provisions are reviewed on a monthly basis and as more information becomes available, following which any increase or decrease in the provision required is processed.

Injuries Resolution Board is satisfied that it has made a prudent estimate of the appropriate provision in the financial statements.

11 Contingent Liability

Legal Actions

As stated in Note 10, the Injuries Resolution Board is, from time to time, a party to various legal actions. Injuries Resolution Board makes full provision for expected third-party legal costs associated with cases notified to it. It is probable that a number of additional cases will be notified to the Injuries Resolution Board in the future in relation to decisions made prior to 31 December 2023. It is not possible to estimate the potential financial effect of such claims.

Notes to the Financial Statements

for the Year Ended 31 December 2023

12 Financial Commitments

Operating leases

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

At 31 December 2023 Injuries Resolution Board had the following future lease payments under non-cancellable operating leases for each of the following periods:

	2023 €	2022 €
Payable within one year	62,851	188,554
Payable within two to five years	0	47,138
Payable after five years	0	0
	62,851	235,692

Operating lease payments recognised as an expense were €188,554 (2022: €188,554).

The current lease expires in 2024. We will be seeking to renew our lease or seek alternative accommodation.

13 Capital Commitments

	2023 €	2022 €
Contracted for (Contract Signed)	130,000	2,624,954
	130,000	2,624,954

Injuries Resolution Board terminated a contract with a supplier during the year by mutual agreement.

Injuries resolution Board are in the process of procuring a supplier for the replacement of its current claims Management System and related services. It is anticipated that a contract will be agreed during 2024 with the project commencing during 2024.

Notes to the Financial Statements

for the Year Ended 31 December 2023

14 Accounting Treatment for Retirement Benefits

The Injuries Resolution 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 and Public Expenditure & Reform in 2008. The Spouses' and Children's' Contributory Pension Scheme was approved in 2009.

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

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

Actuarial Valuation

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

	2023	2022
Assumed Annual Rate		
Discount rate	3.60%	4.20%
Inflation assumption (Consumer Price Index)	2.35%	2.60%
Salary increases	3.60%	3.85%
State pension increases	2.85%	3.10%
Pensions in payment increases - Model Scheme	3.10%	3.35%
Pensions in payment increases - Single Scheme	2.35%	2.60%

In addition, the following demographic assumptions have been made as at 31 December 2023.

	2023	2022
Life expectancy at age 65		
Male currently aged 45	25.5 years	25.4 years
Male currently aged 65	23.1 years	23.0 years
Female currently aged 45	26.4 years	26.3 years
Female currently aged 65	24.5 years	24.4 years

Based on the above, the present value of liabilities at the reporting date is €31,651,000 [2022: €26,837,000], and the service cost (calculated on the foregoing assumptions) for the year is €1,213,000 [2022: €2,062,000].

Notes to the Financial Statements

for the Year Ended 31 December 2023

14 Accounting Treatment for Retirement Benefits *(continued)*

Analysis of total pension costs charged to expenditure

	2023 €	2022 €
Total employer contribution	1,187,923	1,104,193
Current service cost	1,213,000	2,062,000
Interest cost	1,126,000	699,000
Past service cost	0	0
Adjustment to Deferred Exchequer Pension Funding	(2,339,000)	(2,761,000)
Total charged to Statement of Income and Expenditure and Retained Revenue Reserves	1,187,923	1,104,193

* The Current Service Cost includes employee contributions totalling €253,799 in 2023 and €232,287 in 2022.

Movement in net pension liability

	2023 €	2022 €
Net Pension Liability at 1 January	26,837,000	41,366,000
Current Service Cost	1,213,000	2,062,000
Interest Cost	1,126,000	699,000
Experience losses / (gains) on scheme liabilities	466,000	1,185,000
Change in assumptions	2,320,000	(17,970,000)
Benefits paid during the year	(311,000)	(505,000)
Net Pension Liability at 31 December	31,651,000	26,837,000

History of scheme liabilities and experience (gains)/losses

	2023 €	2022 €
Change in assumptions underlying the present value of the pension scheme liabilities	2,320,000	(17,970,000)
% of liabilities at year end	(7.3%)	67.0%
Experience losses/(gains) on scheme liabilities	466,000	1,185,000
% of liabilities at year end	(1.5%)	(4.4%)
Scheme liability	31,651,000	26,837,000

Notes to the Financial Statements

for the Year Ended 31 December 2023

15 Reserves

	2023 €	2022 €
Retained Revenue Reserves		
As at 1st January	1,446,202	1,625,311
Surplus for the year	443,693	1,127,026
Amount released to capital account in the year	105,514	(206,135)
Amount released to capital reserve account in the year	(400,000)	(1,100,000)
Closing Balance	1,595,409	1,446,202

	2023 €	2022 €
Retained Capital Reserve		
As at 1st January	3,384,679	2,644,388
Amount received from Revenue Reserves account	400,000	1,100,000
Expenditure charged to SOI&E and Retained Revenue Reserves in 2023	120,217	(64,605)
Amount released to Capital account - System under Development	(512,013)	(295,104)
Closing Balance	3,392,883	3,384,679

16 Capital Account

	2023 €	2022 €
As at 1st January	501,239	370,292
Additions to Fixed assets in the year	61,702	29,572
Amount received from retained capital reserve in the year - System under Development	512,013	295,104
Disposals - IT Hardware/Software	(196)	(1,843)
Amortisation in line with Asset Depreciation	(167,020)	(191,886)
Closing Balance	907,738	501,239

Personal Injuries Resolution Board amended their accounting treatment by introducing a capital account. The capital account represents the unamortised value of income used for capital purposes. Comparative figures have been restated to reflect the introduction of the capital account. Previously system under development was accounted for under capital reserves but are now accounted for in fixed assets and through the capital account. As a result the retained revenue reserves at 1 January 2023 were reduced by €206,135 to €1,446,202, the fixed assets increased by €295,104 to €501,239 and the capital account has a balance of €501,239. This accounting policy has been reflected in Note 6, Note 15 and Note 16.

Notes to the Financial Statements

for the Year Ended 31 December 2023

17 Related Party Disclosures

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

18 Going Concern

Injuries Resolution Board reported a surplus of €443,694 in 2023 resulting in cumulative operating reserves of €1,889,895 prior to a transfer of €400,000 to capital reserves. Following transfer to capital reserves, and transfer from capital account of €105,514, operational reserves at year-end are €1,595,409 with capital reserves of €3,392,883. The Capital reserve is to fund Injuries Resolution Board's Digital Transformation project (replacement of claims management systems and associated services), see note 13.

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

19 Comparative figures

Certain prior year amounts have been reclassified for consistency with the current year presentation.

20 Approval of Financial Statements

The Financial Statements were approved by the Board on 10th July 2024.

Notes

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