



Society of Actuaries in Ireland

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# Changing liability claims environment - Perspectives from claims, legal and actuarial

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6 February 2025

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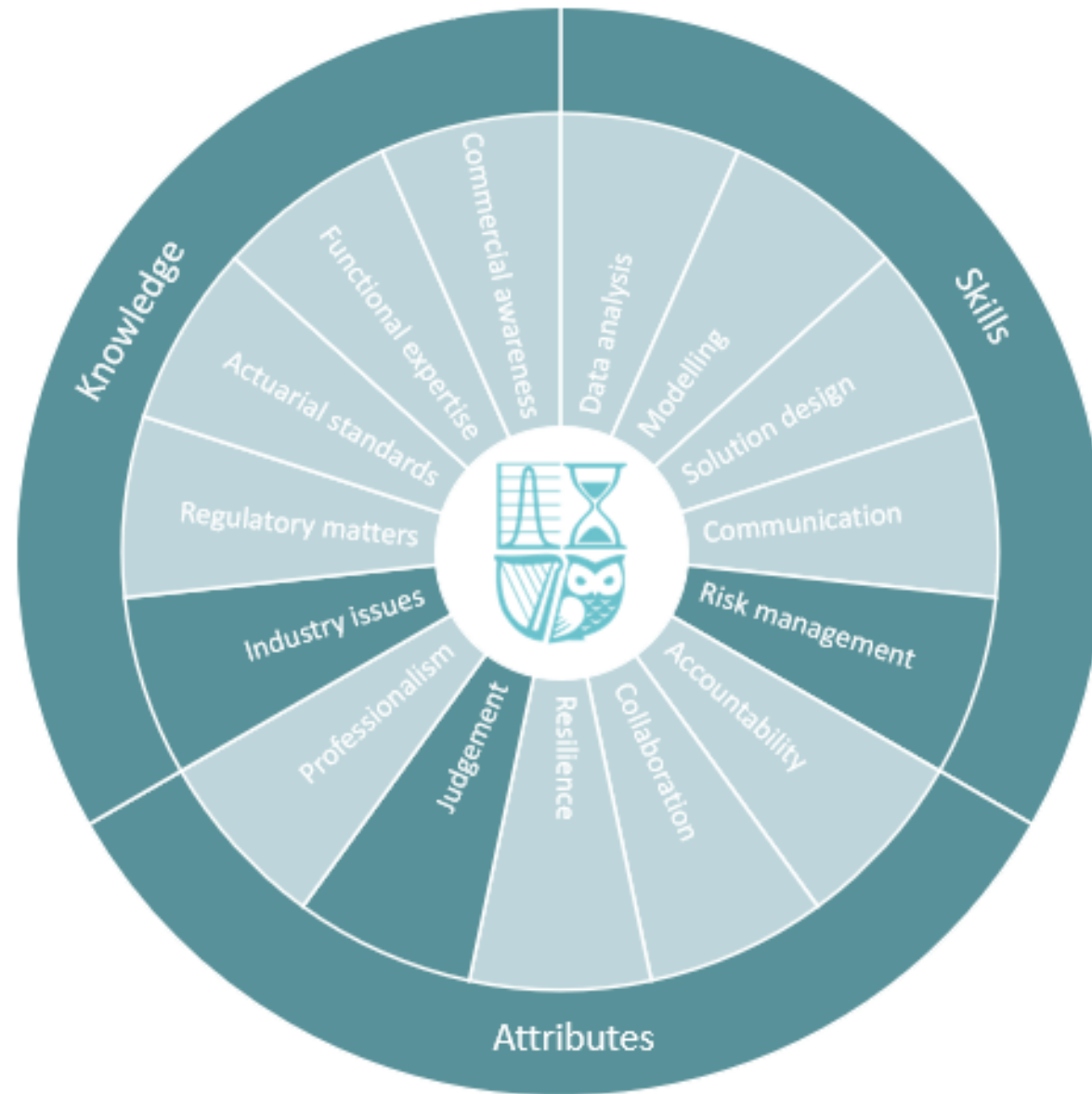
## Disclaimer

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# Competency Framework Wheel



# Personal Injury Claims – A Changing Landscape

*Injuries Resolution Board Perspective*

Rosalind Carroll, CEO

Dr Lauren Swan, Head of Research and Policy

6<sup>th</sup> February 2025



# Overview

## The changed personal injuries Landscape

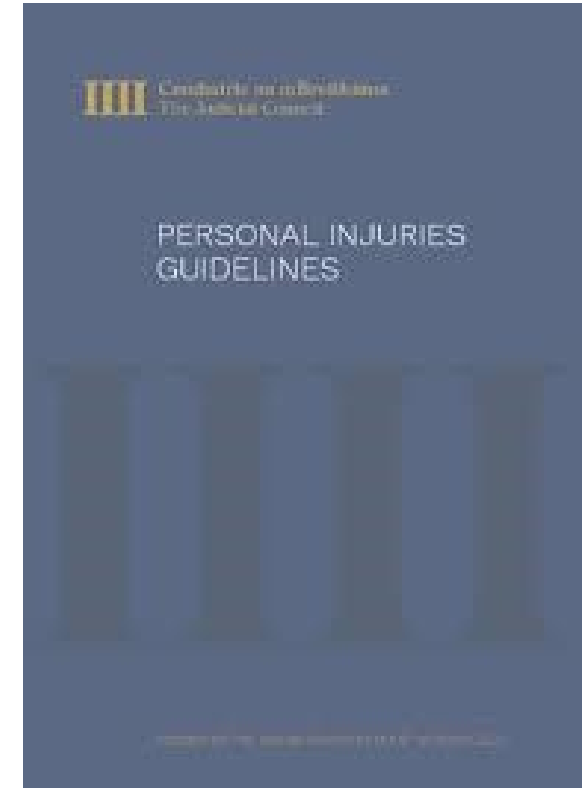
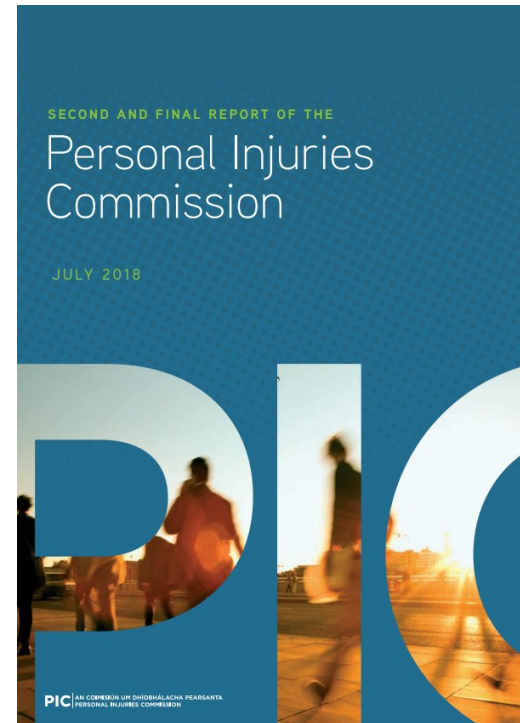
- What's changed
- Enhanced and Expanded Service Delivery
- Draft Guidelines – What next?

## Latest Trends in Personal Injury Claims

- Award Values
- Motor Liability Claims
- Public Liability Claims

# A Changed Environment

- + Covid significant impacts
- + National Claims Information database
- + Action Plan for Insurance Reform
- + Personal Injuries Guidelines - very different awards framework
- + Duty of Care Legislation
- + Enhanced Injuries Resolution Board Legislation



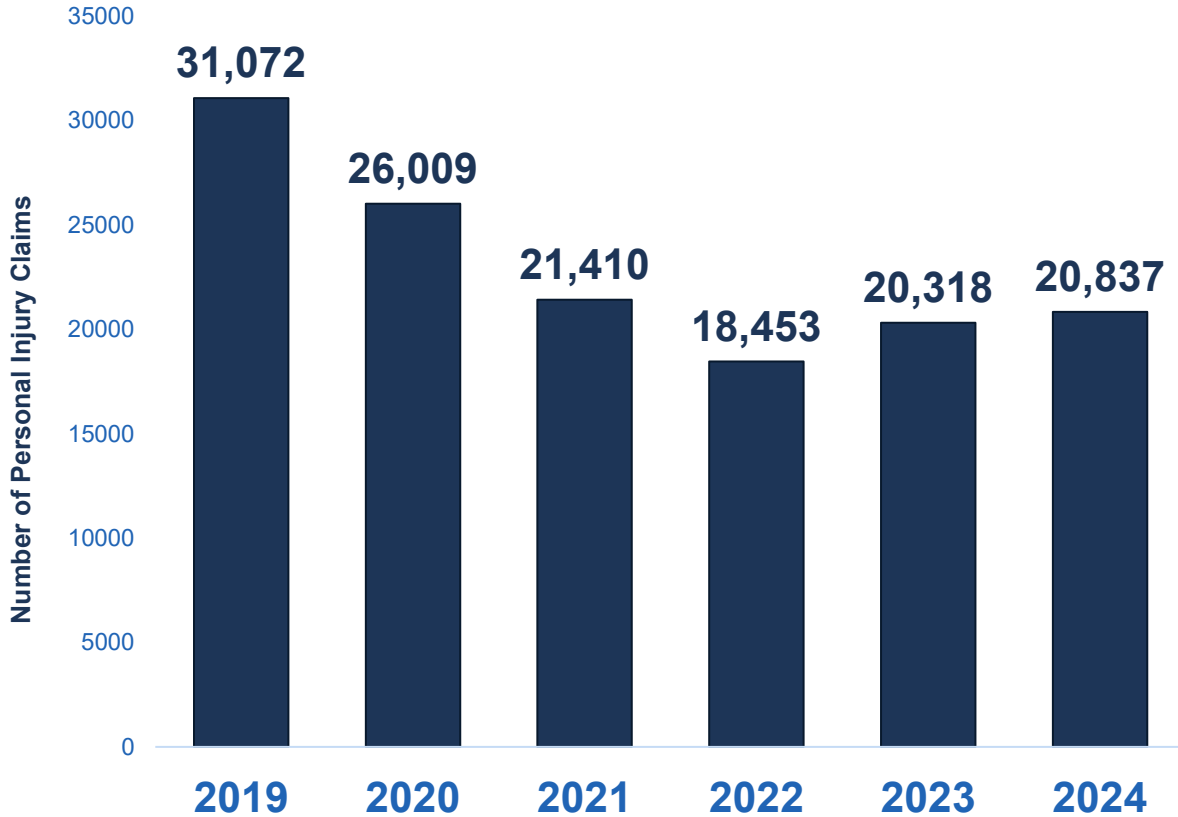
**Landmark decision on case  
'of systemic importance'**

# Most Significant Change - Volume Of Claims

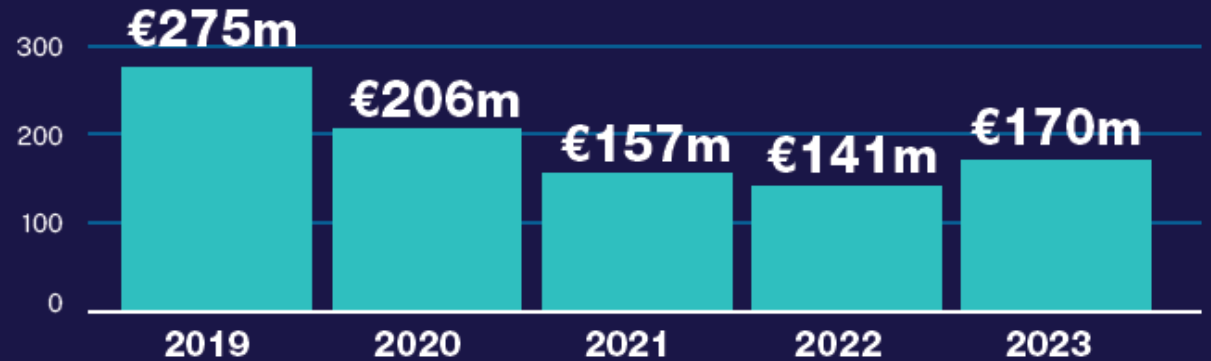
2024 v  
2023  
**+1%**

2024 v 2019  
**-35%**

Annual Claim Volumes (ML/EL/PL)



## Total Award Values

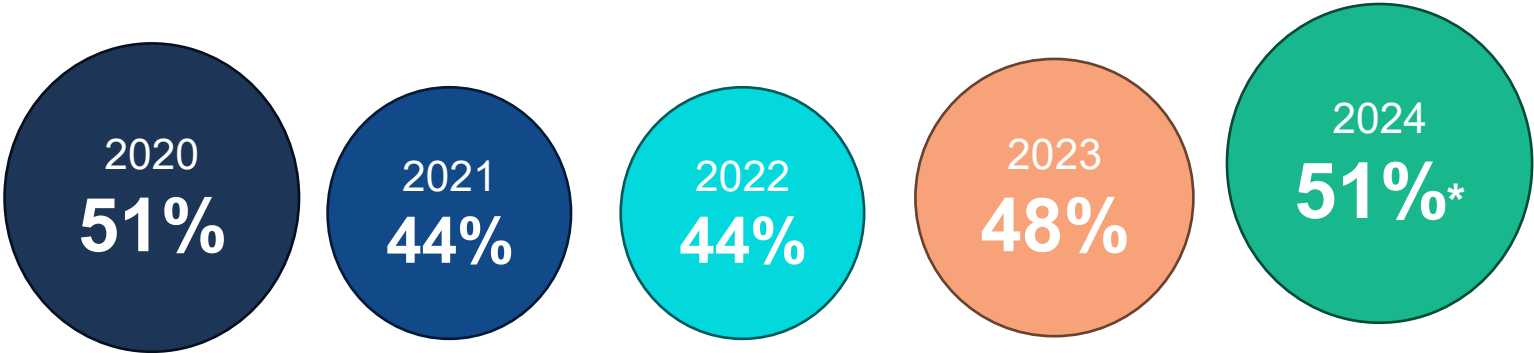


The total value of awards in 2023 was €105 million lower than the value in 2019 (38% lower)

# Engagement and Impact of Injuries Resolution Board

Year	Consent Rate (%)
2024	71%
2023	71%
2022	70%
2021	60%
2020	55%

## Acceptance Rates



*\*Provisional figures for 2024; subject to change*

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

# €75m

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



# New Mediation Service

- + New Service **launched December 2023** – Expanded to Motor 2024
- + Enables engagement directly with parties to facilitate agreement
- + Opportunity to **resolve more claims and deal with broader range of issues**
- + First mediated claim took **4 months v 9 months in assessment**
- + **38% claimant consent** to date



# Draft Personal Injuries Guidelines - 2025

- + **16.7% increase across all categories** - linked rise to inflation - based on Harmonized Consumer Price Index
- + **No changes to any of the categories or brackets beyond this**
- + **New Methodology for the calculation of multiple injuries** – moving away from Most Dominant injury and uplift and instead assessing each injury on their own and applying a global discount

Draft  
Personal Injuries  
Guidelines  
2<sup>nd</sup> Edition

Adopted by the Judicial Council on the  
xx of xxxx 202x



# Impacts Going Forward

- + Implementation Considerations – new methodology may make before and after comparisons difficult
- + What does it mean to Depart from the Guidelines
- + Need courts to FastTrack some cases so we have interpretation from higher courts
- + Consistency and certainty objective harder to achieve
- + Medium - long term impacts - Section 18 of the Judicial council Act 2019 states that a review of the guidelines occur every 3 years (This took place in September 2024)
- + Only between 1 - 3% of Claims ruled on by the Courts





# Latest Trends in Personal Injury Claims



# Research at the Injuries Resolution Board

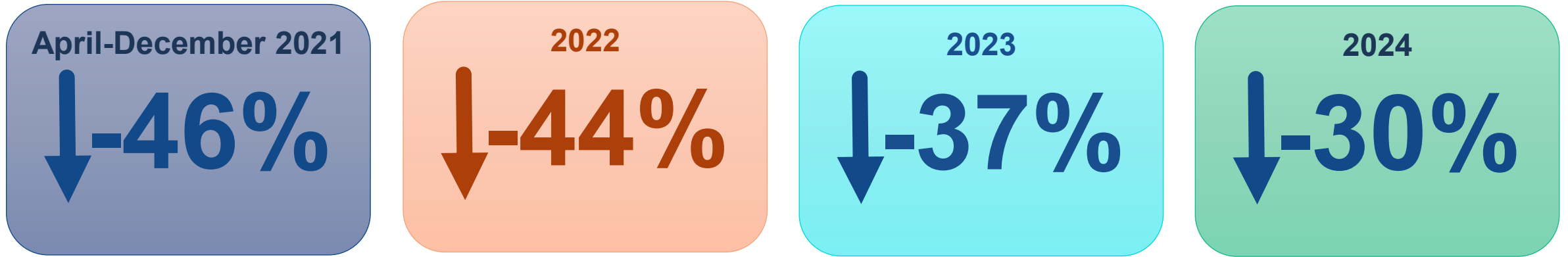
- + The Personal Injuries Resolution Board Act 2022 enhanced our functions – one area of focus included **research** ‘*conduct or commission research, studies and analysis*’
- + The introduction of a formal research function allow us to identify new and emerging trends in the personal injury landscape
- + We are the central body responsible for the collection of **data relating to over 20,000 accidents each year**
- + **We are uniquely positioned to capture both the economic and personal impact of accidents, through our claims-related and medical data, providing a complete picture on the true cost of accidents in Ireland**



# Reporting Trends in Personal Injury Compensation



# Trends in Median Award Values



Lower than the median award of €18,459 in 2020, assessed under the Book of Quantum

The median award in 2024 was €13,000 a 30% decrease on the median award in 2020

# Key Factors Influencing Award Values

- + The Injuries Resolution Board is **assessing more complex injury cases**
- + Between **Apr-Dec 2021**, neck and back injuries accounted for **53% of all awards made**. Across subsequent periods, this percentage has **steadily decreased to 46% of awards in 2024**
- + The proportion of **awards made for psychiatric injuries** has **significantly increased from 5% of awards in 2021, 8% in 2022, 12% in 2023 and 13% in 2024**. This trend appears to have stabilised
- + In **April-Dec 2021**, just **15% of awards** for the most common injury types were of **moderate/serious severity**, in comparison to **25% of awards made in 2024**
- + The **identification of the Most Significant/Dominant injury** under the current Guidelines has **aided our ability to monitor injury trends over the last 4 years**. This **will become more difficult** to accurately capture and compare **with the introduction of new methodology**





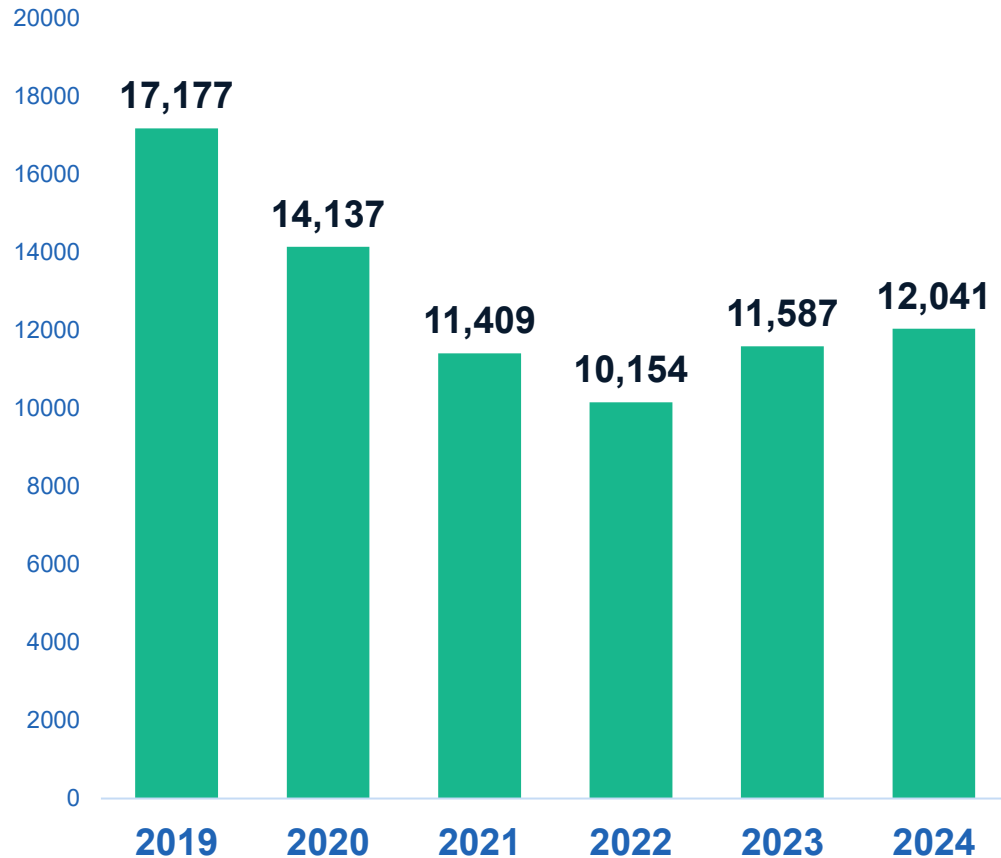
# Key Trends in Motor Liability Claims and Awards

Highlights from the Injuries Resolution Board's upcoming report



# Trends in Motor Liability Claims

Annual Motor Liability Claim Volumes



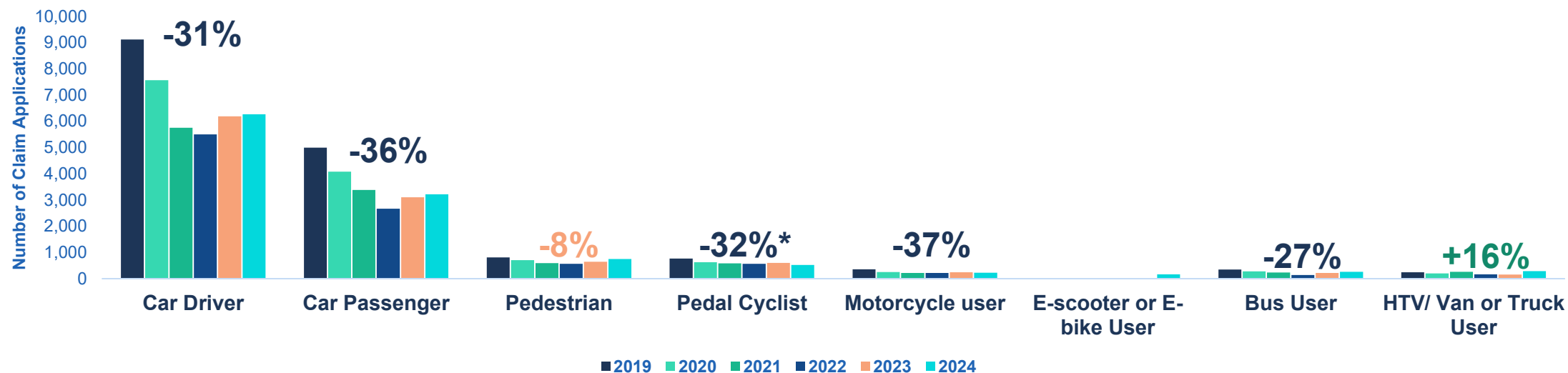
## Overall Key Trends

- In 2024, Motor Claims **increased by 4%** in comparison to 2023
- ML claim volumes still remain **30% lower** than 2019

## Factors influencing Motor Liability Claim Volumes

- **Motor Liability Claims** are submitted to the Board on average, **0.9 years post-accident date**
- In October 2024, national road network traffic counters found car traffic was 3% higher than 2019 and 36% higher than 2020. HGV traffic volumes were +5% than 2019 and +9% than 2020 (*TII, 2024*)
- In 2024, there were 175 road fatalities recorded by the AGS, this compares to 183 fatalities in 2023 (*An Garda Síochána, 2025*).

# Changes in Road User Claim Volumes

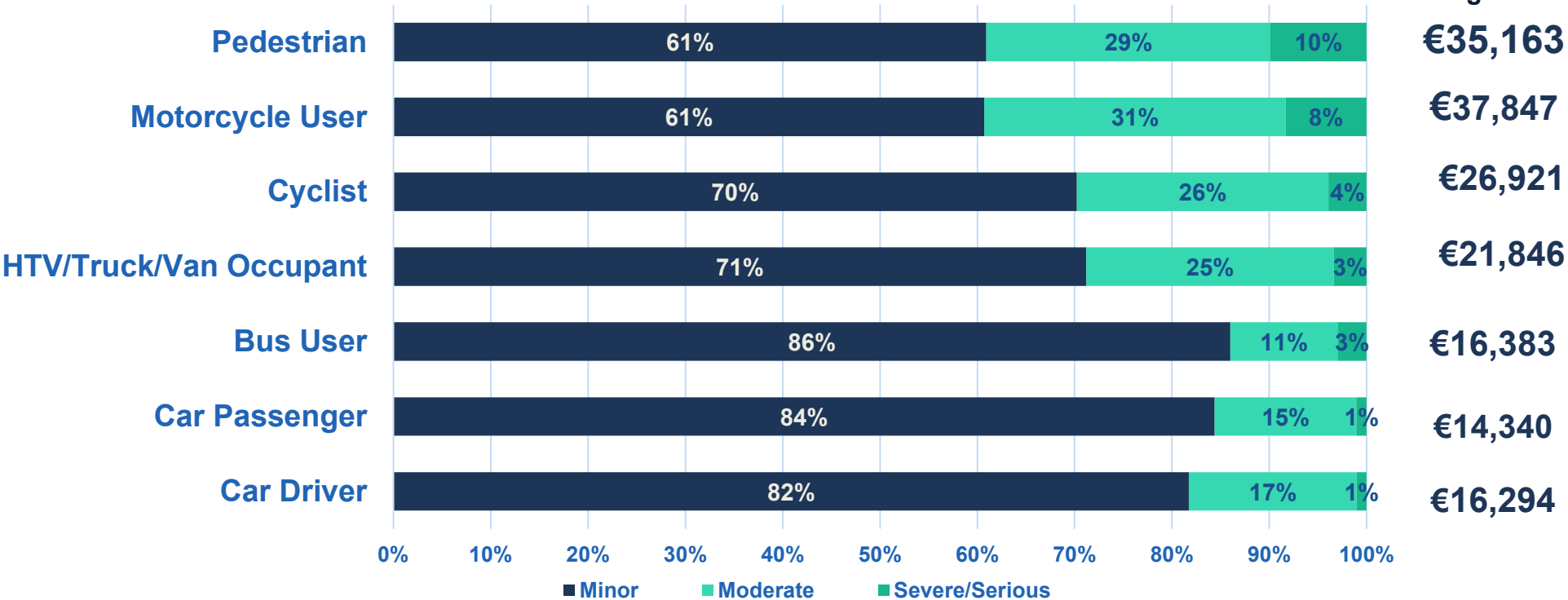


- + **Claim volumes among car drivers and car passengers have decreased by 31% and 36% respectively, between 2019 and 2024**
- + **Claims among pedestrians have almost returned to 2019 levels (-8%), while claims among HTV/Van and truck drivers/ passengers increased by 16%.**
- + **The reduction in pedal cyclist claims (-32%) is likely overestimated due to the introduction of e-scooter/e-bike codes in 2024**

# Trends in Motor Liability Awards (1)

Injury Severity (2024 Awards)

Average Award Value



+ Accidents affecting **vulnerable road user groups** more likely to result in **severe/serious injuries**

+ As expected, average award values strongly correlate with the severity of injuries sustained

# Trends in Motor Liability Awards (2)

- + Between 2019 and 2024, the Injuries Resolution Board made assessments of compensation for Motor Liability claims totalling over €700M
- + The total value of Motor Liability awards made in 2024 was 41% lower than 2019
- + The median value of Motor Liability awards in 2024 was €12,540 compared to €22,357 in 2020 (-30%)

## Trends in Injury Types:

- + In the period directly following the introduction of the Guidelines, **April-December 2021**, neck and back injuries accounted for **68% of all Motor Liability awards**. In **2024** these injury types accounted for **58% of awards**.
- + In **April-Dec 2021**, psychiatric damage accounted for the Dominant/ Most Significant injury in **6% of cases**, compared to **16% of Motor Liability awards in 2024**.

# Trends in Public Liability Claims and Awards



# An Analysis of Public Liability Claims & Awards

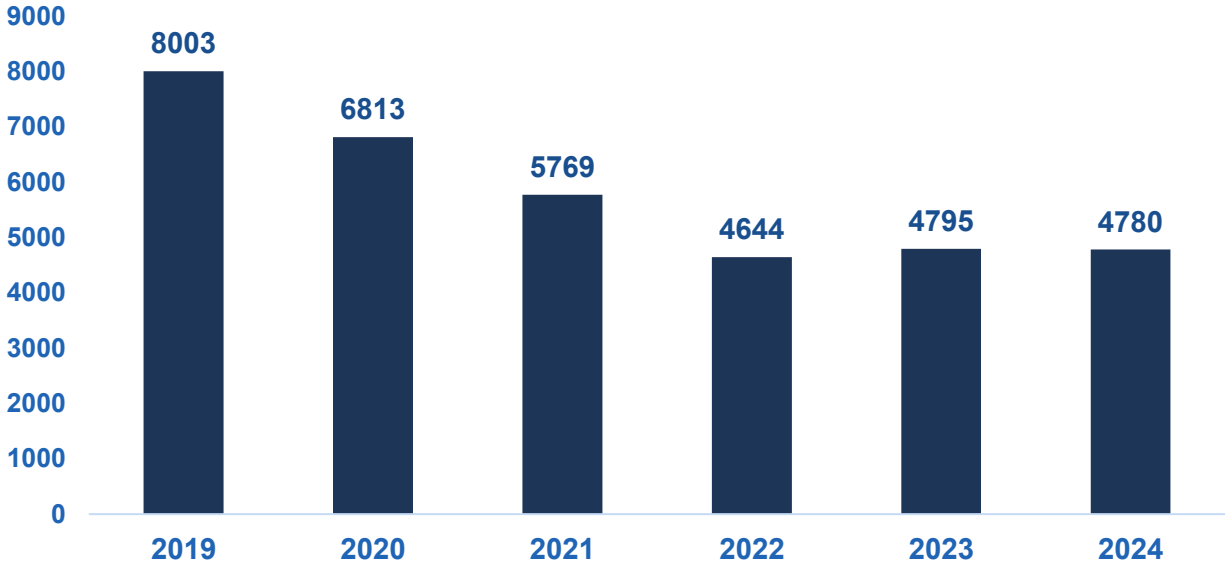
2019-2024

# 34,804

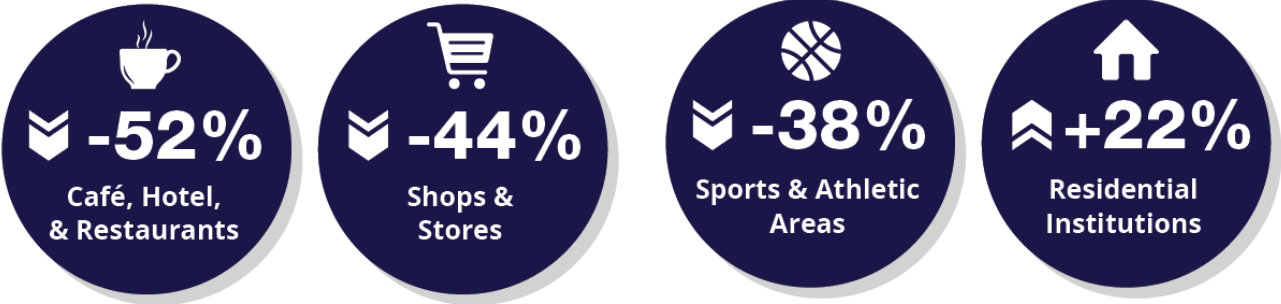
Public Liability Claim Applications

*Public Liability Claims remain 40% lower in 2024 in comparison to 2019 figures and 1% lower than 2023 levels*

### Public Liability Claim Volumes

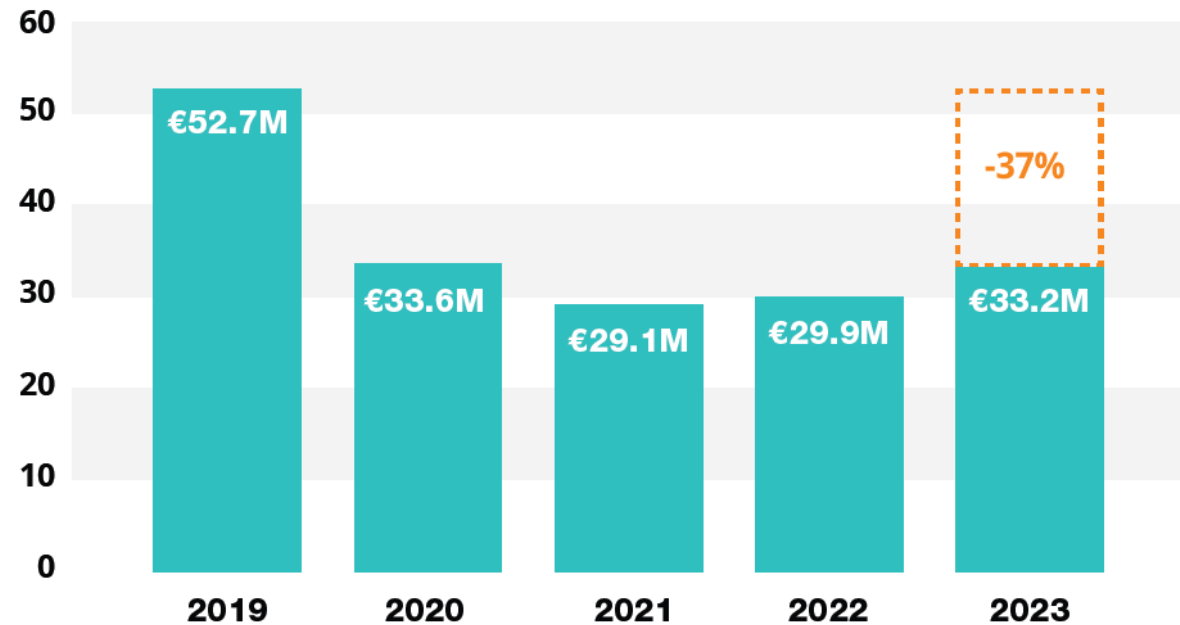


### Volume of Claims 2023 v 2019



# An Analysis of Public Liability Claims & Awards (2)

Total compensation value: **€130M**



**-40%**  
Median Public Liability Award Value 2023 v 2020

**57%**  
Public Liability Acceptance Rate in 2023

**-22%**  
Average Public Liability Award Value 2023 v 2020

**54%**  
Public Liability Consent Rate in 2023

Potential for new mediation service

The median award in 2023 was €12,414 representing a 40% decrease on the median award of €20,645 in 2020

Data from 2024 shows that the median PL award was -34% lower than 2020 figures  
Total PL Awards in 2024 was €30.1M (-43% lower than 2019)



# Low Volume of Claims in Childcare Settings

**256**

Personal injury claims identified as occurring in childcare settings between 2019 – 2023

**170,000**

Children enrolled in early learning care or school-aged child care services (2020/2021 annual early years sector profile)



## Causes of Public Liability Accidents in Childcare Facilities 2019 - 2023



**29%** Fall on same level

**21%** Fall from a height



**13%** Assault

**7%** Struck by thrown or falling object



**11%** Crushing injuries

75% of crushing injuries caused by doors



**6%** Laceration with sharp object



**4%** Food poisoning

**4%** Contact with hot liquid/food



Thank You!  
[research@injuries.ie](mailto:research@injuries.ie)

INJURIES  
RESOLUTION  
BOARD 

