Irish SME Association

General Guidelines as to the amounts that may be awarded or assessed in Personal Injury Claims

Fair Book of Quantum

PUBLISHED BY ISME THE SME ASSOCIATION, 2019

The following conventions have been followed by ISME in rewriting the 'Range Values' to propose a 'Fair Book of Quantum'

1. Bar the exceptions listed below, severity classifications have been discounted as follows:
    a. Minor 80%
    b. Moderate 75%
    c. Moderately Severe 65%
    d. Severe and Permanent 0%
2. Damage to teeth:
    a. Loss of Milk Tooth (Minor) 80%
    b. Broken Tooth (Moderate) 75%
    c. Loss of One Tooth (Moderately Severe) 65%
3. Loss of Single Digits (Moderately Severe) 65%
4. Fractured Clavicle (Moderate) 75%
5. Loss of Toe (Moderately Severe) 65%
6. Loss of Big Toe 0%
7. Heart 0%
8. Lung Contusion or Laceration 0%
9. Kidney Contusion, Haematoma or Laceration 0%
10. Injury to Bowels and Digestive System 0%
11. Injury to Bladder 0%
12. Injury to Spleen 0%
13. Food Poisoning (Moderate) 75%

ISME wishes to acknowledge the work of Darija Holm in recalculating the range values and rewriting the relevant sections of the Book of Quantum.

General Guidelines as to the amounts that may be awarded or assessed in Personal Injury Claims

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Book of Quantum

~~*Commissioned and published in accordance with the Personal Injuries Assessment Board Act 2003. Published in Dublin, 2016.*~~

Table of Contents

4. Upper Limb Injuries (cont'd)

5. Lower Limb Injuries 55

5. Lower Limb Injuries (cont'd)

6. Body and Internal Organs 73

Foreword

~~In accordance with the Personal Injuries Assessment Board Act 2003, independent international consultants Verisk Analytics Limited were commissioned to provide this updated version of the General Guidelines as to the amounts which may be awarded or assessed in Personal Injury Claims (Book of Quantum).~~

~~Verisk Analytics Limited is a leading international data analytics provider serving customers in insurance, natural resources, and financial services. Using advanced technologies to collect and analyse billions of records, Verisk Analytics Limited draws on wide industry expertise and unique proprietary data sets to provide predictive analytics and decision support solutions in rating, underwriting, claims, catastrophe and weather risk, global risk analytics, natural resources intelligence, economic forecasting and many other fields. Around the world, Verisk Analytics Limited helps customers protect people, property, and financial assets. It is a NASDAQ quoted company ("VRSK"). More information is available at~~ **~~www.verisk.com~~**~~.~~

~~In compiling this document, the consultants examined representative samples from over 51,000 closed personal injuries claims from 2013 and 2014 based on actual figures from Court cases, insurance company settlements, State Claims Agency cases and Personal Injuries Assessment Board (PIAB) data.~~

~~In essence, the purpose of this publication is to distil settlement and awards data in the personal injuries process in Ireland and to present the results in a logical and easy-to-examine format. The result shows the prevailing range of payment for injuries based on research into real cases. The values quoted do not represent the views of the consultants or any other parties and reflect the reality of prevailing compensation levels.~~

~~The resulting guidelines show in more detail than the original Book of Quantum the ranges being paid in Ireland by the various bodies in the injuries claims area in respect of compensation for pain and suffering.~~

~~Apart from the updating of figures to reflect the prevailing level of damages in respect of various injuries, the new Guidelines publication has been expanded. It now includes additional injuries such as concussion, partial finger amputations, clavicle injuries, upper limb disorders, Achilles tendon injuries, lung lacerations, food poisoning and other categories. Those injuries were not included in the previous Guidelines because of the lack of available data at the time.~~

~~There is also improved granularity in respect of certain injuries/conditions for example cheek and nasal injuries, neck, back and finger injuries, dermatitis, and injuries and conditions affecting the hip, knee, ankle, foot, lung and lower leg.~~

~~The Guidelines are intended to provide an indication as to the potential range of compensation for a particular injury. It is expected that every claim will continue to be dealt with on its individual merits. It is hoped that the Guidelines will provide assistance to all those involved in resolving personal injury claims by making the level of damages more predictable and consistent throughout the injury compensation system. It is hoped that the use of this document will further progress a less adversarial approach to the compensation of personal injury claims in Ireland.~~

How to use the Book of Quantum

How to use the Book of Quantum

This book only reflects compensation for pain and suffering which is supported by appropriate medical evidence. An assessment has a number of components, covering some or all of the following:

- A sum to compensate for pain, suffering and loss of enjoyment of life
- Specific losses such as past loss of earnings and medical bills
- Future cost of medical care
- Loss of earnings into the future caused by the injury

A claim will be assessed in its entirety including all components appropriate to the case that have been vouched.

Follow the steps set out below to understand what assessment range may be appropriate for an injury:

1. **Identify a category of injury**
2. **Understand the severity of the injury using the medical report on the claimant**
3. **Look up the value range**
4. **Consider the effect of multiple injuries**

1. Identify a category of injury

Assessment of compensation starts by identifying that part of the body that has suffered the most significant injury although the complete effect of all the injuries will be considered.

The Book is separated into six categories.

Head	**Neck**	**Back & Spinal**
Upper Limbs	**Lower Limbs**	**Body & Internal Organs**

Consult the Contents page for the specific injury category and type, which will direct you to the relevant page. Injuries are then generally categorised into levels of severity with a range of values provided for each level as a guide. Some ranges are quite wide, reflecting how the same injury can have very different effects on different people. Compensation may be payable for injury types other than those that appear in this book.

2. Understanding the Severity of the injury

Generally the severity is categorised into the following broad ranges to reflect the degree of disruption to lifestyle, pain and permanency of the condition. However, there are some injuries that by their nature may have more, or less severity categories.

- **Minor**

  Injuries that have substantially recovered.

- **Moderate**

  Includes injuries from which a claimant has substantially recovered but there are ongoing symptoms that interfere with carrying out full day to day activities. Recovery will be achieved from these types of injuries.

- **Moderately Severe**

  Includes moderate injuries and in addition the injury has resulted in some permanent incapacity or limitation that impacts the body part which has been injured.

- **Severe and Permanent Conditions**

  Will apply if the injury is severe and has caused major disruption to a claimants life in a number of areas or results in serious continuing pain and/or requires permanent medical attention.

3. Look up the value range

After identifying the category and severity of the injury go to the relevant section (as set out in the Contents page) where the guideline values are detailed. The majority of injuries fall within that range but it is neither a minimum nor a maximum for individual cases.

4. Consider the effect of multiple injuries

If in addition to the most significant injury as outlined above there are other injuries, it is not appropriate to simply add up values for all the different injuries to determine the amount of compensation. Where additional injuries arise there is likely to be an adjustment within the value range.

**** Please note that all claims need to be supported by medical evidence.**

How to use the Book of Quantum – flow chart

1. Identify category of injury

Identify the part of the body that suffered the most significant injury (complete effect of all injuries will be considered at a later stage):

- Head
- Neck
- Back and Spine
- Upper Limbs
- Lower Limbs
- Body and Internal Organs

2. Understand severity of injury

Generally, severity is categorised into the following broad ranges to reflect the degree of disruption to lifestyle, pain and permanency of the condition:

- Minor
- Moderate
- Moderately severe
- Severe and Permanent

3. Look up range value

Majority of cases fall within the range but it is neither a minimum nor a maximum for individual cases

4. Consider effect of multiple injuries

If, in addition to the most significant injury, there are other injuries, it is not appropriate to add up values to determine the amount of compensation. Where additional injuries arise there is likely to be an adjustment within the value range

Sample assessment

Claimant sustained soft tissue injuries and the award was assessed on the following basis:

General Damages for pain and suffering	**€7,200**
Special Damages	
Net loss of earnings	**€400**
Medication	**€126**
Physiotherapy	**€200**
Doctors fees	**€150**
Total settlement	**€8,076**

1. Head Injuries

1. Head Injuries

A. Head/Skull

Skull fractures are classified as being linear (most common), depressed or comminuted fractures that are further classified as closed (simple) or open (compound). A closed fracture is one in which there is no break in the skin.

Intracranial injuries, including brain contusions and lacerations are severe head injuries. It is difficult to be too specific about the compensation levels for these types of injuries due to the high number of variables involved and the number and severity of possible outcomes (e.g. personality and behavioral disorders). As with all injuries, each one will differ and be considered on its individual merits with the figures being displayed here as a rough guide.

Head injuries may also be rated in accordance with the Glasgow Coma Scale (GCS) which grades a person depending upon the level of consciousness and therefore level of potential injury to the brain.

Concussion – Head Injury

Symptoms of a concussion injury commonly includes headaches, dizziness and nausea. Permanent symptoms may result but most cases recover.

Minor	**up to €4,360**

No loss of consciousness

Moderate	**€4,750 to €8,800**

Loss of consciousness less than 24 hours

Severe	**€41,600 to €74,000**

Loss of consciousness more than 24 hours

Skull Fracture (no loss of consciousness)/Minor Head Injuries

Under this category there will be little if any disability resulting from the head injury.

Minor	**€6,940 to €12,040**
Moderate	**€13,550 to €22,950**
Severe and permanent conditions	**€73,400 to €105,000**

1. Head Injuries (cont'd)

Skull Fracture (with loss of consciousness)/Moderate Head Injuries

This category will include an injury that would have had an impact on the state of consciousness

Minor	**€6,940 to €13,320**
Moderate	**€13,550 to €24,550**
Severe and permanent conditions	**€73,400 to €124,000**

Skull Fracture (with loss of consciousness)/Severe Head Injuries

The severity of injury will depend on the degree of awareness and response to surroundings, the duration of unconscious state and any impact on personality or behaviour, once the injury has stabilized. There may be a greater risk of future Epilepsy with this level of injury, which should also be considered.

Minor	**€10,560 to €24,800**
Moderate	**€17,050 to €32,000**
Severe and permanent conditions (excluding brain damage)	**€87,400 to €144,000**

B. Eye Injuries

Affecting Sight

Injuries in this category range from the most devastating where sight has been completely lost, through to transient injury to the eye with minimal impact on vision.

Transient/Minor Eye Injuries	**up to €1,960**

These injuries will include being struck in the eye, having an item in the eye and being splashed with liquid, which may cause pain and have a temporary impact on sight.

Reduced Loss of Sight in One Eye	**€5,625 to €11,350**

The amount of the assessment will need to consider the degree of sight that remains.

Total Loss of Sight in One Eye	**up to €138,000**

The amount of the assessment will need to consider the degree of sight in the remaining eye.

Total Blindness

Cases where total blindness has occurred would need to consider several factors in order to assess the value.

Such factors would include, age at the time of the accident, occupation, lifestyle, cosmetic or disfiguring features, prosthetic requirement.

C. Injuries Affecting Hearing

Cases where the hearing has been affected would need to consider several factors in order to assess the value. Considerations would need to include, if the impact of the injury was immediate or a gradual loss over time, the age at the time of the loss and if balance has or will be affected by the injury. There is a separate guide available to assist in the assessment of hearing loss. Please refer to The Report of the Expert Hearing Group (The Green Book).

D. Facial Injuries

The gender and age are factors to determine the exact level of severity. Serious injuries are likely to have an element of disfigurement attached to them and will be considered accordingly.

Fracture of the Cheek

Cheek fractures (the zygoma bone) tend to be unilateral (i.e. one-side only) and result in flattening of the cheek. Eye socket fractures often accompany cheek fractures resulting in changes in appearance of the eyeball such as a sunken appearance. Nerve injuries are also often seen with cheek fractures sometimes leaving ongoing symptoms (e.g. tingling sensation) of the face. Le Forte fractures to the facial bones would also fall into this category.

Minor	**€4,240 to €8,440**

Simple non-displaced fracture to the cheek bone which has substantially recovered.

Moderate	**€9,425 to €11,825**

Fractures to the cheek bone(s) that have required surgery with either a complete recovery expected or minimal cosmetic effect.

Severe and permanent conditions	**€47,500 to €55,600**

Complex and multiple fractures to the cheek bones which required extensive surgery and extended healing but may result in an incomplete union with lasting consequences that may include numbness to the face.

Nose Fractures

Because of its prominence (and therefore vulnerability) and structural weakness, the nose is the most frequently fractured facial bone.

Minor	**€3,600 to €4,420**

Simple non-displaced fracture to the nose which has substantially recovered.

Moderate	**€5,525 to €8,050**

Fracture(s) to the nasal bone that may have required surgery where a full recovery is expected or minimal cosmetic effect.

Moderately Severe	**€11,340 to €16,310**

Nasal fractures that have required surgery which may have had some short term consequences on the ability to smell.

Severe and permanent conditions	**€44,500 to €63,900**

Complex and multiple fractures to the nasal bones which required extensive surgery and may have lasting consequences on the ability to smell.

1. Head Injuries (cont'd)

Jaw – Soft Tissue

A jaw sprain is an unusual sprain. This category is for sprains of the joint between the top and bottom jaws (the temporomandibular joint).

Minor	**€2,200 to €4,160**

Minor sprains are mild injuries where there is no tearing of the ligament, and often no jaw movement is lost, although there may be tenderness and slight swelling which has substantially recovered.

Moderate	**€4,875 to €6,900**

Moderate sprains are caused by a partial tear in the ligament. These sprains are characterized by obvious swelling, extensive bruising, pain, and reduced function of the jaw. These sprains may have caused some impact on diet but a full recovery is expected.

Severe and permanent conditions	**€25,900 to €52,700**

These injuries will be the most severe and will include where the movement of the jaw is restricted due to the ligament or muscle damage. Extensive surgery may have been required.

These severe sprains will have required a change in diet and result in ongoing pain, possibly clicking of the jaw and also a possibility of restriction on opening of the mouth.

Jaw – Dislocation

A jaw dislocation is a dislocation of the lower jawbone (mandible). Jaw dislocations are usually reduced by closed manipulation. Analgesics and a soft diet may be prescribed or even a cervical collar.

Minor	**€4,240 to €7,080**

These injuries will have substantially recovered and may have required the joint to be replaced back into the original position and has substantially recovered.

Moderate	**€9,025 to €15,825**

These injuries will have required manipulation of the joint back into normal position and may have taken longer to recover with extensive treatment with a full recovery expected. These dislocations may have caused some impact on diet.

Severe and permanent conditions	**€52,700 to €68,600**

These injuries will have required manipulation of the joint back into normal position and may have included more invasive treatment or even surgery to keep the joint in position. May also include ongoing pain and stiffness with some loss of movement and the jaw being more susceptible to future dislocation. These severe dislocations may have required a change in diet and also a possibility of restriction on the opening of the mouth.

Jaw – Fracture

After the nose, the jaw (mandible) is the most commonly fractured facial bone. Some jaw fractures may be very simple and require only observation and soft diet or with just bandage immobilization but the more severe fractures will require internal fixation with the use of wires.

Minor	**€4,240 to €9,420**

Simple fracture to either the top or bottom jaw bone which has substantially recovered.

Moderate	**€8,975 to €18,725**

Fractures to the jaw bone(s) that may have required surgery with either a full recovery expected or minimal cosmetic effect. These fractures may have caused some impact on diet.

Severe and permanent conditions	**€52,700 to €80,200**

Complex and multiple fractures to the jaw which required extensive surgery and extended healing but may result in an incomplete union. These severe fractures may have required a change in diet and also a possibility of restriction on the opening of the mouth.

E. Damage to the Teeth

For these injuries there will generally have been a course of treatment. The level of severity and amount will vary depending upon the degree of discomfort and the extent of such treatment. Any difficulty with eating is also a consideration.

Loss of Milk Tooth	**€880 to €1,400**
Broken Tooth	**€1,875 to €2,575**
Loss of One Tooth	**€3,605 to €4,445**

The impact of the loss of more than one tooth

There are several factors that need to be considered when calculating the assessment for loss of multiple teeth. Such factors would include, the number of teeth affected, location of the teeth, the level of previous dental hygiene, cosmetic effect, possible impacts on the requirement to change to a softer food diet.

2. Neck Injuries

2. Neck Injuries

Whiplash/Soft Tissue

The most common type of neck injury is called a "whiplash" injury which is an over extension or sprain often suffered in a motor vehicle accident or high impact slip/trip/fall type of accidents.

Whiplash injuries can involve a very minor sprain that heals within days or weeks or they can in extreme cases because long lasting pain and permanent disability. Sometimes a neck strain can irritate or aggravate a pre-existing condition that may or may not have been treated before the accident. These can include disc lesions, spondylosis, osteoarthritis, and spondylolisthesis.

Minor – substantially recovered	**up to €3,140**
Minor – a full recovery expected	**up to €3,880**

These injuries are minor soft tissue, whiplash injuries. Whilst the duration of symptoms will be of importance, there are also other factors that need to be considered when calculating the assessment. Such factors would include the nature of the neck injury, the intensity of the pain and extent of the symptoms, the presence of additional symptoms in the back or shoulder areas, the impact of the injuries on the person's ability to work and/or the extent of the treatment.

Moderate	**€5,100 to €7,550**

These injuries would be moderate soft tissue injuries where the period of recovery has been protracted and where there remains an increased vulnerability to further trauma. Also within this bracket would be injuries which may have accelerated or exacerbated a pre-existing condition over a period of time, usually no more than five years.

Moderately Severe	**€12,040 to €18,270**

These injuries involve the soft tissue or wrenching type injury of the more severe type resulting in serious limitation of movement, recurring pain, stiffness and discomfort and the possible need for surgery or increased vulnerability to further trauma. This would also include injuries which may have accelerated and/or exacerbated a pre-existing condition over a prolonged period of time, usually more than five years resulting in ongoing pain and stiffness.

Severe and permanent	**€44,600 to €77,900**

The most severe category. These injuries will have also affected the structure of the neck and the discs, resulting in serious limitation of movement and the requirement for surgery. Little or no movement regained on a permanent basis resulting in ongoing pain and stiffness with the necessity to wear a collar for long periods in the day.

3. Back Injuries and Spinal Fractures

3. Back Injuries and Spinal Fractures

A. Back

Serious injuries may involve partial or complete damage to the spinal nerves, serious exacerbation of disc lesions requiring fusing of vertebra, irritation of a spinal nerve root, and those most severe back injuries involving paralysis, or other severe consequences such as loss of sexual function or loss or impairment of urinary or bladder function.

Soft Tissue

These injuries would include an over extension or sprain often suffered in a motor vehicle accident or high impact slips/trips/falls type of accidents.

Minor – substantially recovered	**up to €2,960**
Minor – a full recovery expected	**up to €3,680**

These injuries are minor soft tissue injuries. Whilst the duration of symptoms will be of importance, there are also other factors that need to be considered when calculating the assessment. Such factors would include the nature of the back injury, the intensity of the pain and extent of the symptoms, the presence of additional symptoms in the buttocks or hip areas, the impact of the injuries on the person's ability to work and/or the extent of the treatment.

Moderate	**€5,350 to €8,600**

These injuries would be moderate soft tissue injuries where the period of recovery has been protracted and where there remains an increased vulnerability to further trauma. Also within this bracket would be injuries which may have accelerated or exacerbated a pre-existing condition over a period of time, usually no more than five years.

Moderately Severe	**€11,235 to €19,495**

These injuries involve the soft tissue or wrenching type injury of the more severe type resulting in serious limitation of movement, recurring pain, stiffness and discomfort and the possible need for surgery or increased vulnerability to further trauma. This would also include injuries which may have accelerated and/or exacerbated a pre-existing condition over a prolonged period of time, usually more than five years resulting in ongoing pain and stiffness.

Severe and permanent	**€52,300 to €92,000**

The most severe category. These injuries will have also affected the structure of the back and the discs, resulting in serious limitation of movement and the requirement for surgery. Little or no movement regained on a permanent basis resulting in ongoing pain and stiffness with the necessity to wear a back brace/ support for long periods in the day.

B. Spinal Cord Injuries

Quadriplegia is paralysis of all four limbs with paraplegia being paralysis of both lower limbs and partial or total loss of urinary and bowel function, due to spinal cord disease or injury.

The Courts set the maximum compensation with the exact value being based on a number of considerations:

a) level of movement

b) level of pain and suffering

c) depression – level of achievable rehabilitation

d) age and life expectancy

The most catastrophically injured members of society suffer great pain and distress, may never work or enjoy the benefits of a loving relationship and may remain dependent on the care of others for years or indeed for the whole of their lifetime. The upper range for compensation of this type rests in or around €450,000.

C. Vertebra

This category includes all types of vertebral fractures including fracture dislocations, wedge fractures, chance fractures, burst fractures and flexion tear drop fractures.

Wedge spinal fractures are regarded as stable fractures and rarely result in neurological complications. These occur most commonly in the thoracic spine.

Burst fractures are regarded as stable fractures but may result in spinal cord involvement if there is bone fragmentation.

Minor	**€6,500 to 12,660**

Simple fracture to one vertebra which has substantially recovered.

Moderate	**€13,725 to €23,175**

May include multiple vertebra fractures that may have required surgery with either a full recovery expected or ongoing minimal pain and stiffness which may impact on movement of the spine.

Severe and permanent conditions	**€76,000 to €139,000**

Multiple fractures to the vertebra with ongoing consequences, but without paralysis.

4. Upper Limb Injuries

4. Upper Limb Injuries

A. Arm or Hand Amputations

Complicated traumatic amputations are ones involving delayed treatment, delayed healing or major infection. The necessity for stump revision or the existence of phantom limb pains may also occur. An amputation can also be provided as a treatment required due to a severe injury.

Loss of Single Digits

There are several factors that need to be considered when calculating the assessment. Such factors would include dominant hand, appearance, use of any remaining stump, age, gender and occupation impacts.

Index Finger – partial	**up to €19,530**
Index Finger – total	**up to €21,420**
Middle Finger – partial	**up to €17,885**
Middle Finger – total	**up to €20,020**
Ring Finger – partial	**up to €15,155**
Ring Finger – total	**up to €20,020**
Little Finger – partial	**up to €14,560**
Little Finger – total	**up to €16,240**
Thumb – partial	**up to €15,470**
Thumb – total	**up to €28,175**

Loss of Multiple Digits

There are several factors that need to be considered when calculating the assessment for loss of multiple digits. Such factors would include, which digits and how many digits, dominant hand, appearance, impact on hand function, age, gender and occupation impacts.

Loss of Arms or Hands

There are several factors that need to be considered when calculating the assessment for loss of arms or hands. Therefore each case will need to be assessed on its individual merits. Such factors would include, above or below elbow, above or below wrist, dominant hand, appearance, use of prosthetic, age, gender and occupation impacts.

B. Shoulder/Upper Arm

Soft Tissue

This category includes all sprains to the upper arm and shoulder region including partial and complete tears of the tendons forming the joint capsule (the rotator cuff), which may result in substantial reduced capacity. The level and duration of treatment as well as any complications and permanent ongoing disability will dictate the level of compensation.

Minor	**up to €6,700**

Minor sprains are mild injuries where there is no tearing of the ligament, and often no elbow movement is lost, although there may be tenderness and slight swelling which has substantially recovered.

Moderate	**€5,500 to €15,225**

Moderate sprains are caused by a partial tear in the ligament. These sprains are characterized by obvious swelling, extensive bruising, pain, and reduced function of the shoulder with a full recovery expected.

Severe and permanent conditions	**€34,700 to €67,700**

These injuries will be the most severe and will include where the movement of the shoulder is restricted due to the ligament or muscle damage. Extensive surgery may have been required.

Dislocation

Shoulder dislocations range from simple dislocations to severe that include ligament and nerve damage. Likewise, the level of treatment can range from placing the arm in a sling to an operative reduction. Once dislocated, the shoulder may be susceptible to further dislocation in the future with the increased risk of degenerative disease as a result.

Minor	**€3,500 to €8,640**

These injuries will have substantially recovered and may have required the joint to be replaced back into the original position.

Moderate	**€8,250 to €17,650**

These injuries will have required manipulation of the joint back into normal position and may have taken longer to recover with extensive treatment with a full recovery expected.

Severe and permanent conditions	**€48,400 to €76,700**

These injuries will have required manipulation of the joint back into normal position and may have included more invasive treatment or even surgery to keep the joint in position. May also include ongoing pain and stiffness with some loss of movement and the joint being more susceptible to future dislocation.

Fracture – Humerus

Fractures of the humerus (upper arm bone) may also be described according to the type of fracture. For example, transverse, oblique, spiral or comminuted.

They are most often treated very conservatively by non-surgical means, for example closed reduction and/or cast and sling. Uncommonly, an open reduction operation is necessary.

Complications of humerus fractures may include nerve palsy and delayed and non-union and shoulder joint stiffness. Very occasionally, brachial artery complications may be seen with shaft fractures. Healing times vary with some fractures being slow to heal although this depends upon the degree, if any, of displacement.

Minor	**up to €7,360**

Simple non-displaced fracture to the humerus with no joint involvement which has substantially recovered.

Moderate	**€8,675 to €16,125**

Fractures to the humerus that may have required surgery with either a full recovery expected or minimal low level ongoing pain but not lack of movement to the arm.

Severe and permanent conditions	**€50,100 to €83,900**

Complex and multiple fractures to the humerus which required extensive surgery and extended healing but may result in an incomplete union and the possibility of having or has achieved arthritic changes and degeneration that may result in permanent loss of function to the arm.

Fracture Clavicle – Collar Bone

Fracture Clavicle (collar bone)	**€5,252 to €11,000**

The clavicle is known for not healing quickly or accurately. Therefore the level of assessment will depend upon several factors which may include complicated or simple fracture, duration of treatment, complications, and whether there is any ongoing permanent disability.

4. Upper Limb Injuries (cont'd)

Crush Injury – Arm or Hand

A crush injury is a serious type of soft-tissue injury and may include fracture, vein and nerve damage.

Treatment of these major soft-tissue injuries can involve vein repair, nerve repair, debridement, repeated wound irrigations and skin grafts. Amputation may become necessary unless the neurovascular viability of the limb or part thereof is restored. Any associated fractures and other soft tissue damage such as ligament and tendon injuries will also require repair.

Minor	**€2,880 to €6,660**

These injuries will include soft tissue related injuries and will have substantially recovered.

Moderate	**€8,000 to €12,100**

These injuries include more extensive damage to structures other than soft tissue but with a full recovery expected with treatment.

Moderately Severe	**€15,330 to €24,185**

These injuries will involve the joint of the elbow and a reduction in movement but not of sufficient levels to require surgery.

Severe and permanent conditions	**€64,200 to €87,700**

These injuries will include more complex and multiple injuries with ongoing permanent pain and dysfunction to the arm.

C. Elbow/Forearm

Soft Tissue

Elbow sprains are typically treated conservatively. Rest, ice packs and heat applications and in some cases temporary immobilization in a sling or bandage is usually all that is needed. In some injuries, anti-inflammatory medication may be prescribed and physiotherapy may be of some assistance. Elbow sprains generally heal without any residual effects and in this event will fall in either of the lower two brackets dependent on prognosis.

Minor	**up to €1,840**

Minor sprains are mild injuries where there is no tearing of the ligament, and often no elbow movement is lost, although there may be tenderness and slight swelling which has substantially recovered.

Moderate	**€2,000 to €7,375**

Moderate sprains are caused by a partial tear in the ligament. These sprains are characterized by obvious swelling, extensive bruising, pain, and reduced function of the elbow with a full recovery expected.

Moderately Severe	**€7,700 to €20,860**

Severe sprains are caused by complete tearing of the ligament or a rupture, where there is severe pain, loss of joint function, widespread swelling and bruising and the inability to grip or apply weight to the arm. These symptoms are similar to those of bone fractures.

Severe and permanent conditions	**€39,900 to €63,900**

These injuries will be the most severe and will include where the movement of the elbow is restricted due to the ligament or muscle damage. Extensive surgery may have been required.

Dislocation

Some injuries require open reduction of the dislocation rather than the more common closed reduction. Complications can arise where vein damage also occurs due to swelling and the need to hold the elbow in a flexed position following reduction.

Minor	**€4,240 to €8,140**

These injuries will have substantially recovered and may have required the joint to be replaced back into the original position.

Moderate	**€9,350 to €17,700**

These injuries will have required manipulation of the joint back into normal position and may have taken longer to recover with treatment but with a full recovery expected.

4. Upper Limb Injuries (cont'd)

Severe and permanent conditions	**€55,400 to €75,300**

These injuries will have required manipulation of the joint back into normal position and may have included more invasive treatment or even surgery to keep the joint in the position. May also include ongoing pain and stiffness with some loss of movement and the joint being more susceptible to future dislocation.

Fracture – Radius and Ulna Bones

It is more common to encounter fractures of both forearm bones rather than isolated fractures of either the ulna or radius. If caused by direct trauma the fracture line usually occurs at the same level in both bones. If indirect trauma the fractures can occur at different levels. Fractures that involve the joint are usually considered more complicated than others due to the increased impact on limb movement.

Minor	**€4,420 to €7,660**

A simple fracture to either the radius, or the ulna, with no joint involvement which has substantially recovered.

Moderate	**€9,425 to €10,000**

Fractures to either bones, or more complex fracture to one of the bones or a displaced fracture with a full recovery expected with treatment.

Moderately Severe	**€13,720 to €28,595**

Multiple fractures that include joint which have resolved but with ongoing pain and stiffness which impacts on movement of the elbow joint or the wrist.

Serious and permanent conditions	**€57,200 to €83,700**

Complex and multiple fractures to the radius and ulna which required extensive surgery and extended healing but may result in an incomplete union and the possibility of having or has achieved arthritic changes and degeneration of the elbow or wrist joint which may affect the ability to use the arm.

D. Wrist

Soft Tissue

Like other sprains, wrist sprains are sometimes classified in grades: mild sprains involve some stretching of ligaments; moderate sprains involve partial rupture of a ligament while severe sprains involve complete rupture of a ligament. Although the injury may last for several months, a full recovery is the most common outcome.

Minor	**up to €5,560**

Minor sprains are mild injuries where there is no tearing of the ligament and often no wrist movement is lost, although there may be tenderness and slight swelling which has substantially recovered.

Moderate	**€5,475 to €8,225**

Moderate sprains are caused by a partial tear in the ligament. These sprains are characterized by obvious swelling, extensive bruising, pain, difficulty gripping, and reduced function of the wrist with a full recovery expected.

Severe and permanent conditions	**€41,200 to €67,500**

Severe sprains are caused by complete tearing of the ligament or a rupture, where there is severe pain, loss of joint function, widespread swelling and bruising, and the inability to bear weight. These symptoms are similar to those of bone fractures.

Dislocation

The more complicated dislocations will involve serious and permanent conditions as well as treatment such as open reduction. They may have complications such as medial nerve compression and result in a permanent condition.

Minor	**€3,960 to €8,700**

These injuries will have substantially recovered and may have required the joint to be replaced back into the original position which has substantially recovered.

Moderate	**€8,750 to €18,875**

These injuries will have required manipulation of the joint back into normal position and will have taken longer to recover with extensive treatment but with a full recovery expected.

Severe and permanent conditions	**€54,400 to €77,600**

These injuries will have required manipulation of the joint back into normal position and may have included more invasive treatment or even surgery to keep the joint in the position. May also include ongoing pain and stiffness with some loss of movement and the joint being more susceptible to future dislocation.

4. Upper Limb Injuries (cont'd)

Fracture

The wrist contains many bones (radius, ulna and eight carpal bones) all of which make up the wrist joint. In view of this complexity and variety it is difficult to provide very specific ranges for each "wrist fracture". Fractures that involve the joint are usually considered more complicated than others due to the increased impact on movement.

Minor	**€3,860 to €7,360**

Simple non-displaced fracture to any of the bones of the wrist which has substantially recovered.

Moderate	**€8,750 to €11,250**

Simple or minimally displaced fractures with a full recovery expected with treatment.

Moderately Severe	**€18,970 to €24,535**

Multiple fractures that have resolved but with ongoing pain and stiffness which impacts on movement of the wrist.

Severe and permanent conditions	**€68,400 to €78,000**

Complex and multiple fractures to the bones within the wrist which required extensive surgery and extended healing but may result in an incomplete union and the possibility of having or has achieved arthritic changes and degeneration of the wrist and may affect the ability to use the hand.

E. Hand

Soft Tissue

Like other sprains, hand sprains are sometimes classified in grades: mild sprains involve some stretching of ligaments; moderate sprains involve partial rupture o f a ligament while severe sprains involve complete rupture of a ligament. The injury may last for several weeks or several months but a full recovery is the most common outcome.

Minor	**up to €4,340**

Minor sprains are mild injuries where there is no tearing of the ligament, and often no movement is lost, although there may be tenderness and slight swelling which has substantially recovered.

Moderate	**€5,475 to €10,925**

Moderate sprains are caused by a partial tear in the ligament. These sprains are characterized by obvious swelling, extensive bruising, pain, difficulty gripping, and reduced function of the wrist and a full recovery is expected.

Severe and permanent conditions	**€41,200 to €67,500**

Severe sprains are caused by complete tearing of the ligament or a rupture, where there is severe pain, loss of joint function, widespread swelling and bruising and the inability to grip. These symptoms are similar to those of bone fracture.

Fractures

Fractures to the hand (the metacarpal bone(s)) are described according to the site of the fracture. They may involve the base of the bone, the shaft, or the neck and head.

Minor	**€2,920 to €6,440**

Simple fracture non-displaced fracture with no joint involvement which has substantially recovered.

Moderate	**€7,550 to €16,200**

Fractures to multiple bones in the hand or a displaced fracture with a full recovery expected with treatment

Severe and permanent conditions	**€49,600 to €67,700**

Complex and multiple fractures to the bones in the hand which required extensive surgery and extended healing but may result in an incomplete union and the possibility of having or has achieved arthritic changes and degeneration in the hand and may affect the ability to use the hand.

F. Thumb and Fingers

Soft Tissue

Like other sprains, hand sprains are sometimes classified in grades: mild sprains involve some stretching of ligaments; moderate sprains involve partial rupture of a ligament while severe sprains involve complete rupture of a ligament. Although the injury may last for several months a full recovery is the most common outcome.

Thumb

Minor	**up to €4,240**

Minor sprains are mild injuries where there is no tearing of the ligament, and often no function is lost although there may be tenderness and slight swelling which has substantially recovered.

Moderate	**€6,025 to €12,175**

Moderate sprains are caused by a partial tear in the ligament. These sprains are characterized by obvious swelling, extensive bruising, pain, difficulty gripping and reduced function of the thumb with a full recovery expected.

Severe and permanent conditions	**€35,600 to €57,300**

Severe sprains are caused by complete tearing or rupture of the ligament, where there is severe pain, loss of thumb function, widespread swelling and bruising and the inability to bear weight. These symptoms are similar to those of bone fractures.

Finger(s)

Minor	**up to €3,820**

Minor sprains are mild injuries where there is no tearing of the ligament, and often no function is lost although there may be tenderness and slight swelling which has substantially recovered.

Moderate	**€5,425 to €10,025**

Moderate sprains are caused by a partial tear in the ligament. These sprains are characterized by obvious swelling, extensive bruising, pain, difficulty gripping, and reduced function of the finger(s) with a full recovery expected.

Severe and permanent conditions	**€33,800 to €51,300**

These injuries will include multiple fingers of one or both hands to fall within this category.

Severe sprains are caused by complete tearing or rupture of the ligament, where there is severe pain, loss of grip, widespread swelling and bruising and the inability to grip or have useful benefit of the fingers. These symptoms are similar to those of bone fractures.

Dislocation

More severe dislocations may involve the head of the bone protruding into the joint capsule and where closed reduction is not possible and surgical reduction is carried out. Otherwise, it is most common for reduction to be attempted by closed means where the dislocation is manipulated and pushed back into its normal place. A full and complete recovery is the most common outcome for these injuries.

Thumb

Minor	**€2,880 to €5,220**

These injuries will have substantially recovered and may have required the joint to be replaced back into the original position.

Moderate	**€7,225 to €12,650**

These injuries will have required manipulation of the joint back into normal position and will have taken longer to recover with extensive treatment but with a full recovery expected.

Severe and permanent conditions	**€41,400 to €59,000**

These injuries will have required manipulation of the joint back into normal position and may have included more invasive treatment or even surgery to keep the joint in the position. May also include ongoing pain and stiffness with some loss of movement and the joint being more susceptible to future dislocation.

Finger(s)

Minor	**€2,560 to €4,480**

These injuries will have substantially recovered and may have required the joint to be replaced back into the original position.

Moderate	**€4,325 to €10,175**

These injuries will have required manipulation of the joint back into normal position and will have taken longer to recover with extensive treatment but with a full recovery expected.

Severe and permanent conditions	**€29,300 to €51,900**

These injuries will have required manipulation of the joint back into normal position and may have included more invasive treatment or even surgery to keep the joint in the position. May also include ongoing pain and stiffness with some loss of movement and the joint being more susceptible to future dislocation.

Fracture

Most thumb and finger fractures are simple fractures and are treated non-operatively. In fact some don't require any treatment at all. Whether the fracture is open (breaks the skin) or closed will have a bearing on the compensation given. Complications such as non-union of fractures are rare but mal-union does sometimes occur with deformity and restriction of function. Post-traumatic arthritis is also a possible late complication.

4. Upper Limb Injuries (cont'd)

Thumb

Minor	**up to €6,060**

Simple non-displaced fracture with no joint involvement which has substantially recovered.

Moderate	**€7,400 to €11,725**

Fractures to the thumb bone(s) that may have required surgery with either a full recovery expected or minimal loss of movement of the thumb.

Moderately Severe	**€13,510 to €19,215**

These injuries will include fractures' that involved tendon damage that have resolved but with ongoing pain and stiffness which impacts on movement of the thumb.

Severe and permanent conditions	**€43,700 to €62,700**

Complex and multiple fractures which required extensive surgery and extended healing but may result in an incomplete union and the possibility of having or has achieved arthritic changes and degeneration of the thumb joint(s) and may affect the ability to use the thumb.

Finger(s)

Minor	**up to €3,320**

Simple non-displaced no joint involvement and substantially recovered.

Moderate	**€4,875 to €11,225**

Factures to the finger at multiple sites or more than one finger that may require surgery with either a full recovery expected or minimal loss of movement of the finger(s).

Moderately Severe	**€11,480 to €16,170**

These injuries will include fractures that involve tendon damage that have resolved but with ongoing pain and stiffness which impacts on movement of the finger(s).

Serious and permanent conditions	**€31,500 to €56,400**

Complex and multiple fractures which required extensive surgery and extended healing but may result in an incomplete union and the possibility of having or has achieved arthritic changes and degeneration of the finger joint(s) and may affect the ability to use the finger(s).

G. Upper Limb Disorders

This category should be used for specific upper Limb Disorders. These injuries may have been caused in the work place due to repetitive movement. The severity and range will depend upon several factors, such as one sided or double-sided symptoms, dominant hand, the ability to work, the effect on domestic and social life, the capacity to avoid recurrence of symptoms, surgery required or performed and age at the time of the injury.

Tenosynovitis (an inflammation of the tendon sheaths)

Minor	**€4,400 to €5,880**

Substantially recovered.

Moderate	**€6,475 to €8,600**

Where the period of recovery has been protracted.

Moderately Severe	**€13,545 to €23,275**

Continuing but fluctuating single sided symptoms, possibly having had or will require surgery.

Severe and permanent conditions	**€58,000 to €68,600**

Continuing double sided disability with surgery.

De Quervains Tenosynovitis (an inflammation of the tendon of the thumb)

Minor	**€3,500 to €3,660**

Substantially recovered.

Moderate	**€6,950 to €8,200**

Where the period of recovery has been protracted.

Moderately Severe	**€11,585 to €12,635**

Continuing but fluctuating single sided symptoms, possibly having had or will require surgery.

Severe and permanent conditions	**€43,600 to €47,900**

Continuing double sided disability with surgery.

Radial/Cubital Tunnel Syndrome (compression of the radial or ulna nerves)

Minor	**€4,480 to €6,440**

Substantially recovered.

4. Upper Limb Injuries (cont'd)

Moderate	**€7,350 to €10,225**

Where the period of recovery has been protracted.

Moderately Severe	**€14,840 to €25,655**

Continuing but fluctuating single sided symptoms, possibly having had or will require surgery.

Severe and permanent conditions	**€61,800 to €76,600**

Continuing double sided disability with surgery.

Carpal Tunnel Syndrome (compression of the median nerve)

Minor	**€4,420 to €6,400**

Substantially recovered.

Moderate	**€7,075 to €9,925**

Where the period of recovery has been protracted.

Moderately Severe	**€14,385 to €25,095**

Continuing but fluctuating single sided symptoms, possibly having had or will require surgery.

Severe and permanent conditions	**€60,300 to €74,100**

Continuing double sided disability with surgery.

Epicondylitis (Tennis/Golfers Elbow)

Minor	**€3,680 to €3,820**

Substantially recovered.

Moderate	**€7,950 to €8,675**

Where the period of recovery has been protracted.

Moderately Severe	**€12,460 to €13,230**

Continuing but fluctuating single sided symptoms, possibly having had or will require surgery.

Severe and permanent conditions	**€47,700 to €51,400**

Continuing double sided disability with surgery.

H. Dermatitis – Arm/Hands

Contact allergic dermatitis is a reaction of the skin to allergens (substances which the body is allergic to). Whilst not confined to the arm and hand, this is the most common area affected. Allergens generally don't cause skin reactions to most people but some are hypersensitive to the allergens which are usually organic or chemical in nature.

Minor	**up to €2,800**

These injuries would cause itching, irritation and/or rashes on one or both hands which has substantially recovered.

Moderate	**€3,500 to €4,950**

These injuries would include dermatitis to one or both hands, with a full recovery expected with treatment.

Severe and permanent conditions	**€32,800 to €53,700**

These injuries would include dermatitis to both hands, with cracking of the skin and soreness affecting the person's employment and domestic capability, with lasting consequences.

5. Lower Limb Injuries

5. Lower Limb Injuries

A. Leg Amputations

Complicated traumatic amputations are ones involving delayed treatment, delayed healing or major infection. The necessity for stump revision or the existence of phantom limb pains may also occur. An amputation can also be provided as a treatment required due to a severe injury.

Loss of Legs or Feet

When calculating the assessment amount there are several factors that need to be considered. Therefore each case will need to be assessed on its individual merits. Such factors would include above or below knee, above or below ankle, dominant foot, appearance, use of prosthetic, age, gender and occupation impacts.

Loss of Toes

There are several factors that need to be considered when calculating the assessment. Such factors would include dominant foot, appearance, balance, age, gender and occupation impacts.

Toe (other than the Big Toe)	**up to €16,870**
Big Toe	**up to €70,600**

B. Hip/Pelvis

Soft Tissue

Like other sprains, hip sprains are sometimes classified in grades: mild sprains involve some stretching of ligaments; moderate sprains involve partial rupture of a ligament while severe sprains involve complete rupture of a ligament. Groin sprains will also fall into this category,

Minor	**up to €5,920**

Minor sprains are mild injuries where there is no tearing of the ligament, and often no function is lost, although there may be tenderness and slight swelling which has substantially recovered.

Moderate	**€3,350 to €15,150**

Moderate sprains are caused by a partial tear in the ligament. These sprains are characterized by obvious swelling, extensive bruising, pain, and reduced function of the joint with a full recovery expected.

Severe and permanent conditions	**€60,600 to €70,000**

Severe sprains are caused by complete tearing of the ligament or a rupture, where there is severe pain, loss of balance, widespread swelling and bruising, and the inability to bear weight. These symptoms are similar to those of bone fractures.

Dislocations

More serious injuries may involve an element of severe ongoing dysfunction as well as a high risk of degenerative change. Severe injuries may require or have had a hip replacement procedure.

Minor	**€5,420 to €9,160**

These injuries will have substantially recovered and may have required the joint to be replaced back into the original position which has substantially recovered.

Moderate	**€11,250 to €17,600**

These injuries will have required manipulation of the joint back into normal positon and may have taken longer to recover with extensive treatment but with a full recovery expected.

Moderately Severe	**€16,205 to €30,345**

These injuries will have required manipulation and possibly a replacement of the hip joint, or have the requirement in the future for such treatment. Once treated the joint movement would be near normal.

Severe and permanent conditions	**€59,800 to €94,500**

These injuries will have required manipulation of the joint back into normal position and may have included more invasive treatment or even surgery to keep the joint in position. These may include ongoing pain and stiffness with some loss of movement and the joint being more susceptible to future dislocation and the onset of arthritic changes.

Fractures – Pelvis

Where the fracture is isolated, i.e. fractured in a single place, the prognosis is usually excellent. Serious and permanent condition pelvic fractures such as those that involve fractures in more than one place and which may cause disruption of the pelvic ring. These may be treated with external or internal fixation via a laparotomy. The fracture may involve complications, such as, and is quite common in males, injuries to the bladder and urethra. In females there can be a risk of complications in childbirth.

Other risks to be considered are degenerative changes and the possible need for future surgery, for example hip replacement.

Minor	**€5,540 to €10,860**

Simple non-displaced fracture to the hip or pelvis with no joint involvement and substantially recovered.

Moderate	**€11,775 to €14,600**

Displaced fracture(s) with a full recovery expected with treatment.

Moderately Severe	**€23,975 to €30,275**

Multiple fractures that have resolved but with ongoing pain and stiffness which impacts on movement of the hip/pelvis.

Severe and permanent conditions	**€79,300 to €94,800**

Complex and multiple fractures to the pelvis where the bladder was also damaged, which required extensive surgery and possible fusion of the bones with the possibility of having or has achieved arthritic changes and degeneration in the pelvic joint and may affect the ability to walk unaided.

C. Upper Leg

Fractures – Femur

Serious injuries include those where a risk of future arthritis exists and the level of that risk, the recovery period, treatment type and duration and what complications exist, for example fracture non-union or limb shortening. Fractures that involve a joint are usually considered more complicated than others due to the increased impact on limb movement.

Minor	**€5,540 to €11,820**

Simple non-displaced fracture to the femur with no joint involvement which has substantially recovered.

Moderate	**€11,750 to €21,175**

Displaced fracture(s) with a full recovery expected with treatment.

Moderately Severe	**€21,210 to €34,195**

Multiple fractures that have resolved but with ongoing pain and stiffness which impacts on movement of the hip or knee joint.

Severe and permanent conditions	**€83,100 to €102,000**

Complex and multiple fractures to the femur which required extensive surgery, and where the outcome may have resulted in the leg being shorter than before the injury, and therefore may affect the ability to walk unaided.

D. Knee

Soft Tissue

Knee sprains are sometimes classified in grades: mild sprains involve some stretching of ligaments; moderate sprains involve partial rupture of a ligament while severe sprains involve complete rupture of a ligament. The majority of sprains require only conservative treatment and result in a complete resolution of symptoms with the serious ruptures may result in surgical intervention and possible ongoing discomfort.

Minor	**up to €2,960**

Minor sprains are mild injuries where there is no tearing of the ligament and often no function is lost, although there may be tenderness and slight swelling which has substantially recovered.

Moderate	**€4,225 to €5,850**

Moderate sprains are caused by a partial tear in the ligament. These sprains are characterized by obvious swelling, extensive bruising, pain, and reduced function of the knee joint and leg with a full recovery expected.

Moderately Severe	**€8,400 to €26,460**

Moderately severe sprains are caused by incomplete tearing of the ligament or a partial rupture, where there is moderately severe pain, loss of movement, widespread swelling and bruising and the inability to bear weight.

Severe and permanent conditions	**€65,700 to €81,600**

Severe sprains are caused by complete tearing or a rupture of the ligament where there is severe pain, loss of movement, widespread swelling and bruising and the inability to bear weight. These symptoms are similar to those of bone fractures. These injuries will have required extensive treatment and surgery and include where a knee replacement has been carried out.

5. Lower Limb Injuries (cont'd)

Dislocations

Severity depends on whether the dislocation is reduced spontaneously or whether a closed or open procedure had to be performed. Complications such as nerve and vein damage may also arise.

Minor	**€4,420 to €10,080**

These injuries will have substantially recovered and may have required the joint to be replaced back into the original position.

Moderate	**€9,800 to €21,825**

These injuries will have required manipulation of the joint back into normal positon and will have taken longer to recover but with a full recovery expected with treatment.

Severe and permanent conditions	**€55,200 to €93,400**

These injuries will have required manipulation of the joint back into normal position and may have included more invasive treatment or even surgery to keep the joint in the position. These may also include ongoing pain and stiffness with some loss of movement and the joint being more susceptible to future dislocation.

Fractures – Patella

More serious injuries are those involving patella fractures where a severe level of ongoing disability exists, more common in displaced fractures. Displaced fractures usually require surgical treatment that may take a number of forms, including tension band wiring or removal of part or the entire knee cap (patellectomy).

Minor	**€4,120 to €9,440**

Simple fracture to the patella which has substantially recovered.

Moderate	**€9,250 to €19,300**

Fractures to the patella that may have required surgery with either a full recovery expected or minimal low level ongoing pain but not lack of movement to the knee.

Severe and permanent conditions	**€52,800 to €89,100**

Complex and multiple fractures to the patella which required extensive surgery and extended healing but may result in an incomplete union and the possibility of having or has achieved arthritic changes and degeneration of the knee or ankle joint and may affect the ability to walk unaided.

E. Lower Leg Fractures – Tibia and/or Fibula

This category includes fractures to both the tibia and fibula. A fracture to the fibula is usually not as severe as that of a tibia. Fractures that involve a joint are usually considered more complicated than others due to the increased impact on limb movement. Complications may arise such as fractures of both bones, which may include vein damage, soft tissue damage, mal-union, delayed union and non- union and joint stiffness at either the ankle or knee or both. Open fractures (where the bone(s) break the skin) may be further complicated by infection. Peripheral nerve damage (peroneal nerve) may also be associated with these fractures.

Minor	**up to €9,880**

Simple non-displaced fracture to either the tibia or the fibula with no joint involvement which has substantially recovered.

Moderate	**€10,125 to €17,600**

Fractures to both bones or a displaced fracture with a full recovery expected with treatment

Moderately Severe	**€24,080 to €32,165**

Multiple fractures that have resolved but with ongoing pain and stiffness which impacts on movement of the knee joint or the ankle.

Severe and permanent conditions	**€77,700 to €96,800**

Complex and multiple fractures to the tibia and fibula which required extensive surgery and extended healing but may result in an incomplete union and the possibility of having or has achieved arthritic changes and degeneration of the knee or ankle joint and affects the ability to walk unaided.

F. Ankle

Soft Tissue (excluding Achilles Tendon)

Any of the ankle/foot ligaments may be partially ruptured (sprained) or involve complete rupture. They may be injured in isolation, or together. Ankle ligament and tendon sprains are commonly classified as minor, moderate and severe.

Minor	**up to €4,620**

Minor sprains are mild injuries where there is no tearing of the ligament, and often no function is lost, although there may be tenderness and slight swelling which has substantially recovered.

Moderate	**€5,750 to €14,150**

Moderate sprains are caused by a partial tear in the ligament. These sprains are characterized by obvious swelling, extensive bruising, pain, difficulty walking and reduced function of the ankle but with a full recovery expected.

Severe and permanent conditions	**€38,900 to €62,300**

Severe sprains are caused by complete tearing of the ligament or a rupture, where there is severe pain, loss of grip, widespread swelling and bruising and the inability to bear weight. These symptoms are similar to those of bone fractures.

Achilles Tendon Injuries

The Achilles tendon is a major tendon that makes up the ankle joint and is responsible for the majority of movement to the ankle joint. Damage to the Achilles tendon will typically require surgery in order for it to resolve.

Minor	**up to €2,520**

Minor sprains are mild injuries where there is no tearing of the ligament and often no function is lost, although there may be tenderness and slight swelling which has substantially recovered.

Moderate	**€3,650 to €6,425**

Moderate Achilles tendon sprains are caused by a partial tear in the ligament. These sprains are characterized by obvious swelling, extensive bruising, pain, difficulty walking and reduced function of the ankle with a full recovery expected.

Moderately Severe	**€12,565 to €14,770**

Moderately severe Achilles tendon sprains are caused by a partial tear in the ligament. These sprains are characterized by obvious swelling, extensive bruising, pain, difficulty walking, and reduced function of the ankle. With surgery the tendon would have been repaired but may have resulted in a permanent loss of movement to the ankle.

Severe and permanent conditions	**€41,200 to €51,600**

Severe Achilles tendon ruptures are caused by complete tearing of the ligament or a rupture, where there is severe pain, widespread swelling and bruising and the inability to bear weight. Surgery will have been required and despite this the tendon would still result in a permanent loss of function of the ankle.

Dislocations

Ankle dislocations normally heal without ligament instability and generally have a good outcome with little, if any, residual disability. Where the dislocation involves open wounds infection is a constant concern and a permanent disability may arise.

Minor	**€4,420 to €9,860**

These injuries will have made substantially recovered and may have required the joint to be replaced back into the original position.

Moderate	**€10,275 to €19,275**

These injuries will have required manipulation of the joint back into normal position and will have taken longer to recover with extensive treatment but with a full recovery expected.

Severe and permanent conditions	**€56,800 to €82,800**

These injuries will have required manipulation of the joint back into normal position and may have included more invasive treatment or even surgery to keep the joint in the position. May also include ongoing pain and stiffness with some loss of movement and the joint being more susceptible to future dislocation.

5. Lower Limb Injuries (cont'd)

Fractures – distal Tibia, distal Fibula and Talus

Three bones form the ankle joint; the distal (bottom end) tibia bone (known as the medial malleolus), the distal (bottom end) fibula (known as the lateral malleolus) and the talus bone (one of the tarsal bones in the foot). Fractures that involve the joint are usually considered more complicated than others due to the increased impact on limb movement. The more severe injuries involve displacement and ligament damage (which may be treated with either open or closed reduction).

Minor	**up to €10,940**

These injuries will include simple non-displaced fracture in the ankle which has substantially recovered.

Moderate	**€9,775 to €21,900**

These injuries will include displaced fractures to a single bone in the ankle, or non-displaced fractures to multiple bones with a full recovery expected with treatment.

Moderately Severe	**€27,965 to €31,255**

Multiple fractures that have resolved but with ongoing pain and stiffness which impacts on movement of the ankle.

Severe and permanent conditions	**€80,500 to €93,300**

These injuries include all three bones of the ankle structure which required extensive surgery and extended healing but may result in an incomplete union and the possibility of having or has achieved arthritic changes and degeneration of the ankle joint and may affect the ability to walk unaided.

G. Foot

Foot sprains can result from twisting motions or hyperextension forces. The mid-foot joints are the areas most often subject to sprains and strains. Foot sprains can be acute or chronic.

Foot sprains are treated with the application of ice, possibly the use of walking aids during the acute phase, physiotherapy, protective taping, anti-inflammatory medication and possibly analgesics for pain depending on the severity of the injury.

Soft Tissue

Minor	**up to €4,000**

Minor sprains are mild injuries where there is no tearing of the ligament and often no function is lost, although there may be tenderness and slight swelling which has substantially recovered.

Moderate	**€4,975 to €9,600**

Moderate sprains are caused by a partial tear in the ligament. These sprains are characterized by obvious swelling, extensive bruising, pain, difficulty walking and reduced function of the foot but with a full recovery expected.

Severe and permanent conditions	**€36,400 to €54,400**

Severe sprains are caused by complete tearing of the ligament or a rupture, where there is severe pain, loss of grip, widespread swelling and bruising, and the inability to bear weight. These symptoms are similar to those of bone fractures.

Dislocations

Minor	**€3,260 to €8,740**

These injuries will have substantially recovered and may have required the joint to be replaced back into the original position.

Moderate	**€7,975 to €17875**

These injuries will have required manipulation of the joint back into normal position and will have taken longer to recover with extensive treatment but with a full recovery expected.

Severe and permanent conditions	**€47,700 to €77,500**

These injuries will have required manipulation of the joint back into normal position and may have included more invasive treatment or even surgery to keep the joint in the position. May also include ongoing pain and stiffness with some loss of movement and the joint being more susceptible to future dislocation.

5. Lower Limb Injuries (cont'd)

Fractures

Simple foot fractures, non-displaced and even some displaced often do not need reduction. A full recovery is usually achievable. More serious fractures are those where prolonged treatment, permanent disability and/or future complications such as arthritis exist.

Minor	**€3,600 to €6,980**

These injuries will include simple non-displaced fractures to a single bone in the foot with no joint involvement which have substantially recovered.

Moderate	**€8,500 to €15,300**

These injuries will include displaced fractures to a single bone in the foot, or non-displaced fractures to multiple bones with a full recovery expected with treatment.

Moderately Severe	**€17,430 to €29,085**

These injuries will include displaced fractures or open fractures that have resolved but with ongoing pain and stiffness which impacts on movement of the foot.

Severe and permanent conditions	**€65,200 to €92,900**

These injuries will include several bones in the foot or the heel bone of the ankle structure which required extensive surgery and extended healing but may result in an incomplete union. The possibility of having or has achieved arthritic changes and degeneration of the foot joint and may affect the ability to walk unaided, and are so severe that an amputation may be considered.

Crush Injuries – Foot

A crush injury is a serious type of injury and may include damage to the skin, a fracture, vein and nerve damage. Treatment of these major soft-tissue injuries may involve vein repair, nerve repair, debridement, repeated wound irrigations and skin grafts. Amputation may become necessary unless the neurovascular viability of the limb or part thereof is restored. Any associated fractures and other soft tissue damage such as ligament and tendon injuries will also require repair.

Minor	**€2,560 to €8,180**

These injuries will have included soft tissue related injuries and a full recovery will have occurred with treatment.

Moderate	**€3,625 to €18,475**

These injuries may have included more extensive damage to structures other than soft tissue and may have resulted in a degree of permanent damage.

Severe and permanent conditions	**€26,600 to €78,300**

These injuries will include more complex and multiple injuries with ongoing permanent pain and or dysfunction to the limb that may affect mobility.

H. Toes

Dislocation

The majority of toe dislocations are relatively minor where reduction is achieved by manipulation and followed up with a period of foot immobilization in a cast. If reduction cannot be achieved by closed methods, an arthrotomy (surgical opening of a joint) may be required to achieve reduction.

Big Toe

Minor	**€2,200 to €3,760**

These injuries will have substantially recovered and may have required the joint to be replaced back into the original position.

Moderate	**€3,875 to €10,600**

These injuries will have required manipulation of the joint back into normal position and will have taken longer to recover with extensive treatment with a full recovery expected.

Severe and permanent conditions	**€27,500 to €46,800**

These injuries will have required manipulation of the joint back into normal position and may have included more invasive treatment or even surgery to keep the joint in the position. May also include ongoing pain and stiffness with some loss of movement and the joint being more susceptible to future dislocation.

Other Toe(s)

Minor	**€2,180 to €3,660**

These injuries will have substantially recovered and may have required the joint to be replaced back into the original position.

Moderate	**€3,250 to €7,675**

These injuries will have required manipulation of the joint back into normal position and will have taken longer to recover with extensive treatment with a full recovery expected.

Severe and permanent conditions	**€25,100 to €32,600**

These injuries will have required manipulation of the joint back into normal position and may have included more invasive treatment or even surgery to keep the joint in position. May also include ongoing pain and stiffness with some loss of movement and the joint being more susceptible to future dislocation.

5. Lower Limb Injuries (cont'd)

Fractures

Most toe fractures heal satisfactorily with conservative treatment. In some rare injuries, surgical intervention is required such as open reduction or a level of permanent disability may occur.

Big Toe

Minor	**€2,520 to €4,300**

Simple non-displaced fracture to the toe with no joint involvement which have substantially recovered.

Moderate	**€5,225 to €9,075**

Displaced fracture(s) with a full recovery expected with treatment.

Severe and permanent conditions	**€28,000 to €41,200**

Complex and multiple fractures to the big toe which required extensive surgery and extended healing but may result in an incomplete union and the possibility of having or has achieved arthritic changes and degeneration of the big toe joint and may affect the ability to walk unaided.

Other Toe(s)

Minor	**€2,180 to €4,060**

Simple non-displaced fracture to the toe with no joint involvement which have substantially recovered.

Moderate	**€3,250 to €8,200**

Displaced fracture(s) with a full recovery expected with treatment.

Severe and permanent conditions	**€25,100 to €33,700**

Complex and multiple fractures to the toe(s) which required extensive surgery and extended healing but may result in an incomplete union and the possibility of having or has achieved arthritic changes and degeneration of the toe joint(s) and may affect the ability to walk unaided.

6. Body and Internal Organs

6. Body and Internal Organs

A. Rib(s) or Chest Bone Fractures

Although severe pain may follow injury, most rib fractures achieve substantial recovery in a relatively short period of time without treatment. Some may involve ongoing residual permanent condition and some have complications such as a punctured or collapsed lung.

Minor	**€2,740 to €9,180**

Recovery will have occurred and will have included either the breast bone or single rib fracture.

Moderate	**€7,400 to €15,850**

Multiple rib fractures.

Severe and permanent conditions	**€49,500 to €80,000**

Multiple rib and or breastbone fractures with ongoing symptoms, and may involve complications.

B. Heart

A heart contusion is bruising of the heart muscles. It usually occurs from severe blunt trauma to the chest causing the chest bone to compress the heart against the spinal column. This trauma leads to an alteration in the heart cells fluid composition which in turn leads to an alteration in the hearts electrical activity and abnormal heart rhythm. Clinical signs of contusion are left sided chest pain, rapid heartbeat, shortness of breath, sweating and low blood pressure. Severe heart contusions can result in death and therefore are not included in the assessment category below.

Heart Contusion	**€18,500 to €22,100**

Heart contusion resulting in a full recovery.

C. Lung Injuries

The vast majority of lung contusion injuries occur in motor vehicle accidents. It occurs usually from blunt trauma and severe decelerating forces. Provided there are no complications and sufficient breathing can be maintained a satisfactory recovery results. Lung lacerations can occur through blunt trauma, penetrating injuries or from injuries to the rib cage. The lung has many veins and as such lacerations may result in profuse bleeding.

Lung Contusion	**€15,900 to €21,900**
Lung Laceration	**€16,000 to €31,700**

Punctured/Collapsed Lung

The normal treatment is to use a tube to drain the fluid and air and to keep the lung expanded to prevent it collapsing.

Minor	**€2,920 to €3,580**

An uncomplicated recovery will have occurred.

Moderate	**€4,975 to €10,525**

More complex injury with treatment and or drainage, but where a full or near full recovery will have occurred.

Severe and permanent conditions	**€52,600 to €82,700**

Punctured lung with fluid in the lungs and ongoing breathing problems that has an impact on daily living.

D. Kidneys

Kidney injuries are relatively rare as they are well protected by the ribcage. Most kidney injuries are usually classified as contusions, lacerations, haematomas and ruptures.

Contusions are regarded as mild injuries and are treated conservatively with rest and observation. More severe contusions might involve a period of hospitalization. Antibiotics may also be prescribed. Haematomas are treated conservatively where possible along with observation to ensure the haematoma is not expanding or haemorrhaging, in which case surgical evacuation and bleeding control is required.

Contusion or Haematoma	**€13,400 to €28,000**
Laceration	**€21,300 to €35,000**

E. Bowels and Digestive System

The normal treatment for injuries to the intestines is surgery to open the abdomen (laparotomy). When the damaged area is located, lacerations or perforations are treated by suture or in some cases with a patch. External drainage is done simultaneously. Major damage might require removal of the damaged section and then re-joining the ends. Injuries to the colon include lacerations and bruising within the walls of the colon. Injury can occur to the colon itself or to its mesentery attachment. Blunt and penetrating trauma is the most common causes of injury. Treatment of colon injuries includes primary closure, partial removal and colostomy. Primary closure is used mainly for smaller wounds and involves suture closure. Colostomy is the surgical opening from the colon to the abdominal wall to create an outlet for body waste. Colostomy may be temporary or permanent.

Moderate	**€21,300 to €45,900**
Temporary Colostomy	**€56,800 to €73,000**
Severe and permanent conditions	**€61,900 to €93,900**

F. Bladder

Bladder injuries, which mostly occur from blunt trauma, are more likely to occur when the bladder is full rather than when it is empty. When empty, the bladder lies behind the pelvis and is therefore well protected by the pelvis but when full it rises up into the lower abdomen and becomes vulnerable to trauma. When empty however it is still vulnerable to injuries such as fractures of the pelvis. Bladder contusions are bruising of the bladder wall. These may sometimes be described as interstitial injuries. Minor bladder contusions require no specific treatment. If blood in the urine is present (hematuria) observation or catheterization may be required. Severe contusions may even necessitate the use of an indwelling catheter for a number of days. Bladder contusions resolve without any residual urinary dysfunction.

Bladder contusion	**€14,200 to €28,500**
Where ongoing loss of function is expected	**€24,600 to €86,000**
Any injury to the Ureter (the tube by which urine passes)	**€21,400 to €44,500**

G. Spleen

The spleen is a commonly injured abdominal organ being particularly susceptible to blunt trauma and motor vehicle accidents are the leading cause of spleen injuries. The most common types of spleen injury are laceration and rupture. Rupture generally occurs at the time of accident but may also occur at a later rupture. Spleen injuries often occur in association with other injuries such as rib fractures but also frequently occur in isolation.

Haematoma/Laceration	**€21,300 to €44,700**
Total Loss/Severe Loss of Function or Removal	**up to €73,100**

H. Hernias

A hernia is a forcible protrusion of a body organ or body tissue through another structure. Hernia as an injury in most cases will be encountered as a work related injury suffered through lifting.

An inguinal hernia is a herniation in the groin area and is the most common type of hernia; it may be unilateral or bilateral (one sided or both sides). Other types of hernia include femoral hernias, umbilical hernias, parumbilical hernias and ventral hernias. A hernia may also be strangulated (where the blood supply to the protruding organ or tissue has been cut off), obstructed (blocks the intestine), reducible (it can be reduced (pushed back) by manual manipulation) or irreducible/ incarcerated (it cannot be reduced by manual manipulation and as such requires surgical intervention).

Minor	**up to €5,140**

Uncomplicated single sided hernia.

Moderate	**€7,850 to €11,500**

Complicated single sided, or uncomplicated double sided hernia or where there is a risk that future surgery may be required.

Severe and permanent conditions	**€46,700 to €60,300**

Continuing pain and or limitation on physical activity.

I. Food Poisoning

There are varying degrees of food poisoning and the effects will vary from person to person. Some types of food poisoning will have short term effects whereas other more serious types may have a lasting effect on a person's appetite and daily living.

Minor to Moderate	**up to €2,900**

Uncomplicated recovery with pain, cramps and diarrhoea continuing, causing significant discomfort, stomach cramps, altered bowel function and fatigue.

Severe and permanent conditions	**€23,700 to €40,300**

Severe poisoning with diarrhoea and vomiting diminishing over a prolonged period of weeks but with some remaining discomfort and bowel function over a longer period.

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