



WPLA Study – The prevention of fraud in land registration systems

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Purpose - background

- An on-going topic in the WPLA work programme
- WPLA Fifth Session, 19–20 November 2007, Geneva
 - Initial limited survey of delegates re on-line fraud
 - Results inconclusive
 - More work needed to be done
 - A Pan-European issue
- The new WPLA survey



Results of the preliminary survey

- 18 member states completed the questionnaire
- A small minority could identify increased fraud due to online access
- But only half monitored fraud or monitored trends
- Little evidence of systematic review and improvement of anti-fraud measures
- Widespread agreement that sharing intelligence with other jurisdictions would be helpful
- Agreement to further research

Purpose

- Identify best practice in the detection and prevention of fraud
 - Ask how open should public access to data be?
 - Consider whether and how access to data should be restricted
 - Discuss national data protection issues and laws
 - Consider freedom of information



The new survey



6th session of the UNECE WPLA, Geneva,
18-19 June 2009

How accessible is land information to the general public?

- What proportion of land registries store their data electronically?
- Is it available for public inspection?
- What information is open to public inspection?
- What limits are there concerning who may inspect the information?
- Are different groups of customers given different methods of access?

Who accesses what information?

- What proportion of land registries make their information available to the general public online via the internet?
- What methods are used to monitor who gets the information?
- To what extent do anonymous applicants have the same access to information as identifiable applicants?
- How much is information limited for anonymous applicants?

How much of a problem is land registration fraud?

- Is it increasing or decreasing?
- What proportion of land registries monitor fraud trends?
- What effect do new electronic services have on fraud?

How do land registries combat registration fraud?

- To what extent do land registries have defined practices for detecting and preventing fraud?
- How successful have these practices been?
- What proportion of land registries systematically review, evaluate and improve these practices?
- What proportion of land registries use networks of key contacts in their own jurisdiction to co-ordinate anti-fraud efforts?
- Would sharing intelligence between organisations in different jurisdictions be helpful in combating fraud?

How do national conditions affect fraud?

– Compensation/indemnity

- What proportion of land registries pay compensation for losses due to fraud?
- What records do they keep of compensation paid and the circumstances of fraud?
- How does the practice of paying compensation influence anti-fraud strategy?
- What proportion of land registries are able to pursue fraudsters through the courts and how successful are they?

How do national conditions affect fraud?

- Do notarial systems of conveyancing reduce the likelihood of fraud?
- and if so, how?

What additional steps can we take?

- Should there be a Europe-wide strategy to combat land registration fraud?
- What formal staff training do land registries have to assist in detecting fraud?



Timetable

6th session of the UNECE WPLA, Geneva,
18-19 June 2009



Timetable

- **July 2009** – Background note and questionnaire sent by Secretariat to member states for completion
- **30 September 2009** – Final deadline for responses
- **September/October 2009** – collate all responses, analyse/check and summarise the results.
- **November 2009** – Verify results with participating states
- **Early 2010** – Results delivered back to delegates.



Any questions?



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