



An tÚdarás Clárúcháin Maoine
Property Registration Authority

Property Registration Authority **Counter Fraud Framework**

Date: November 2022



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1 Background

The purpose of the Property Registration Authority's (PRA) Counter Fraud Framework, is to outline and demonstrate the PRA's commitment to zero tolerance of fraud and corruption, whether that originates within the organisation, or from external attempts to defraud the PRA and the interests of the public it serves. In an environment of increasing economic crime, internationally and in Ireland, the PRA recognises that it has a responsibility to:

- safeguard property rights and the integrity of the National Land Register;
- protect public funds as well as its data and assets;
- safeguard against risk of loss to property owners;
- embed effective standards for countering fraud;
- protect the Register and the organisation from individuals suspected of committing, or attempting to commit, fraud against the organisation;
- fully support and encourage staff in their awareness of fraud and fraud risks;
- ensure that staff are compliant with the PRA's Counter Fraud Framework, and other elements of its Integrity Framework.

This framework applies to all PRA staff, consultants, contractors and suppliers. It also applies to those who lodge applications and use PRA services. Just as the PRA expects its staff to be honest with public funds/assets, it also expects those using its services to be honest in their dealings with the PRA.

Fraud may be viewed as any wrongful or criminal deception intended to result in financial or personal gain, often at the expense of a victim. In the context of the PRA, preventing fraud is about preventing fraud on the PRA's Registers, systems and against the organisation itself.

The grounding legislation underpinning the PRA's mandate to safeguard the integrity of the National Land Register, is the Registration of Title Act 1964. Section 119 (1) of this Act refers to offences where a person:

- *in the course of proceedings under the Act, with intent to conceal the title or claim of any person, or to substantiate a false claim, suppresses, attempts to suppress, or is privy to the suppression of, any document or fact,*
- *fraudulently procures, attempts to fraudulently procure, or is privy to the fraudulent procurement of, any entry, erasure or alteration in the register,*

- *in any affidavit required or authorised to be made for any purpose under this Act, or under any order or general rules made in pursuance of this Act, wilfully makes a false statement in any material particular,*

Section 120 of the 1964 Act provides for compensation for loss is sustained by any person by reason of any entry in or omission from a register or registry map caused or obtained by forgery or fraud [section 120]

2 Objectives

The PRA's Counter Fraud Framework has the following four core objectives:

1. **Prevent:** To prevent fraud on the Register by implementing robust fraud controls and embedding an anti-fraud culture.
2. **Identify:** To identify instances of suspected fraud through robust procedures and by fostering a culture of speaking out and leveraging data.
3. **Respond:** To respond to and examine any suspicious activity rigorously and impartially, when such activity is identified internally, externally, or by An Garda Síochána.
4. **Deter:** To deter fraud by ensuring the PRA is not perceived to be an easy target.

To successfully achieve these objectives, the PRA has in place a number of services, policies, reporting procedures, roles and initiatives, with most playing a part in delivery of all four.

3 PRA Counter Fraud Framework 2022

The PRA's Counter Fraud Framework takes cognisance of all relevant criminal law acts and comprises the internal control system, fraud risk assessment and a wide range of interrelated policies and procedures relating to fraud and corruption, including Civil Service Code of Standards and Behaviour, Protected Disclosures arrangements and Civil Service Disciplinary procedures. It also includes roles, forums, policies and procedures that are specifically targeted at countering fraud, including:

- Appointment of designated Deputy Registrar who is responsible for the legal aspects of the Counter Fraud function and is a member of the Five Registries Fraud Sub-Group¹;
- Appointment of a Counter Fraud Liaison Officer as a single point of contact within the organisation;

¹ Membership – Land Registry representatives from Ireland, England and Wales, Northern Ireland, Scotland and the Isle of Man.

- Multi-disciplinary, internal Counter Fraud Forum;
- Ongoing collaboration with the Law Society of Ireland;
- Liaising with an Garda Síochána;
- Development, launch and ongoing promotion of the PRA's Property Alerts Service;
- Mandatory Fraud Impact Assessments prior to introducing any changes to policies and procedures;
- Introduction of organisational Fraud Risk Assessment to identify any areas of vulnerability and opportunities for improvement of controls;
- Robust internal control systems , including segregation of functions, as appropriate;
- Establishment of the Quality and Compliance Division;
- Compliance Assurance Framework;
- Robust Cyber Security controls;
- Establishment of the Personal Applications Unit (PAU)²;
- Monthly reports to the Management Board on the compliance by solicitors, with Form 3 solicitor certification procedures;
- Quarterly reports to the Management Board on the counter fraud function and its activities;
- Embedding a culture of ethical behaviour through initiatives and interventions aimed at promoting enhanced awareness of fraud issues across the organisation;
- Ongoing counter fraud awareness and training for all staff;
- Introduction of Anti-Money Laundering (AML) Protocol;
- Development and ongoing updating of Protected Disclosures Policy;
- Membership of Transparency International Ireland's Integrity at Work Programme;
- Promoting clear ethical standards through the PRA's Guide to Ethical Behaviour and Behaviours Framework.

4 Lines of Defence against Fraud and Corruption

In addition to the PRA's counter fraud policies and strategies, it is important to develop a culture of responsibility and vigilance. The Counter Fraud Framework should be considered in the context of three lines of defence for the organisation, setting out the roles and responsibilities in the PRA to increase the effective management of countering fraud.

² Applications received where lodging parties are personal applicants

COUNTER FRAUD ASSURANCE LEVELS	RESPONSIBLE	ROLE
First Line	The operational management that own and manage fraud risk: <ul style="list-style-type: none"> • Casework Divisions • Personal Applications Unit 	To ensure appropriate standards are being used and adherence to counter fraud processes and procedures
Second Line	Those who have no first line responsibilities in relation fraud risk but who have a role in developing and monitoring counter fraud policy and compliance: <ul style="list-style-type: none"> • Management Board • Counter Fraud Unit • Quality and Compliance Division • Finance Division (Risk Management) 	To ensure first line of defence is properly designed, in place, and operating as intended, including policies, procedures, protocols, awareness and support
Third Line	Independent Auditor/Expert: <ul style="list-style-type: none"> • Audit and Risk Committee • Internal Audit • Office of the Comptroller and Auditor General 	To provide senior management with an objective opinion on the effectiveness of governance, risk management and internal controls; also to evaluate effectiveness of the first and second lines of defence

Countering fraud and corruption is a responsibility that is taken very seriously by the Management Board and members of the Authority. Embedding a culture which values speaking out and vigilance by everybody in the PRA will ultimately act as the most effective deterrent.

For further information on the PRA’s approach to integrity, please see the [PRA’s Statement on its Integrity Framework³](#).

³ https://www.prai.ie/download/publications/strategic_reports/Statement-on-our-Integrity-Framework-2022.pdf