

Insurance Fraud in a Digital Age – Legal Perspective

Kieran Cowhey - 23 November 2018

'The power of change is coming, and if we fail to see it, we could be dead too.'

CEO US Insurance Company

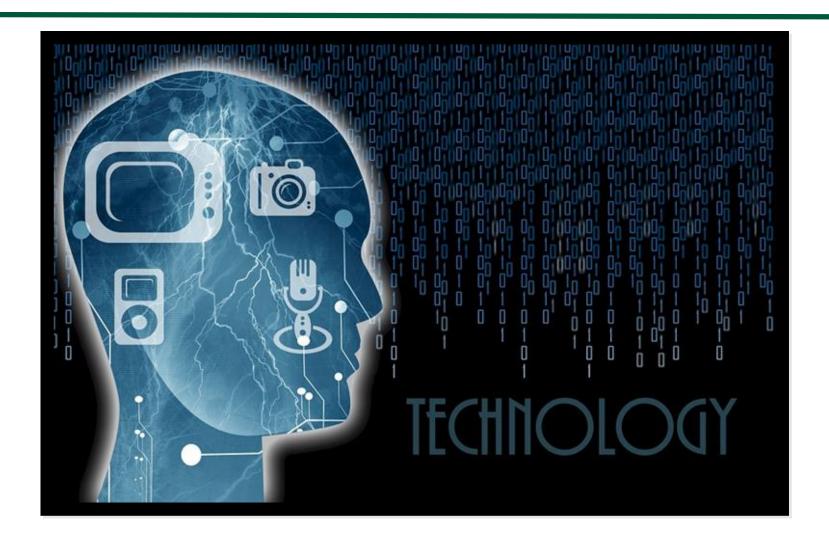
Today

Technology is changing the insurance industry

How to fight fraud

Changes needed for a proper environment

Insurance and technology



Investment in Insurtech is an upward trend



Digital business models allow you to innovate and remain competitive



What is fraud?

Insurance fraud is any act committed with the intent to obtain a fraudulent outcome from the insurance process

Insurance fraud can be 'hard' or 'soft'



In Ireland public, employers & motor liability are the most vulnerable : €200-€250 million per annum

Insurance fraud and public ambivalence

78% would support proposals to reduce personal injury awards

73% are unhappy with compensation culture

21% know someone who had exaggerated a claim

How does our legal system deal with fraud?

Civil Liability and Courts Act 2004

Section 26 – Fraudulent and exaggerated claims

'Exaggeration is the blood relation to falsehood and nearly as blamable'

Section 25

Offence

Fines not exceeding €100,000 and maximum 10 years in prison

Where technology helps?





Our courts must be fit for purpose in this digital era

'It will be necessary to consider new and innovative ways of allowing the courts to be more efficient by the deployment of extra resources in fields such as judicial back-up and courts staff together with a greatly increased use of IT'

The Honorable Mr Justice Frank Clarke, Chief Justice

Where does technology help you?

The collection of data is crucial for insurers

Fraud detection technology

Global examples provide proof that technology helps fight fraud



Smart technology is a very useful and compulsory tool for insurers



What do we do?

What change can we introduce?

'They always say time changes things, but you actually have to change them yourself'

Andy Warhol

The government and the courts' response





The industry and defence lawyers need to work together



Conclusions

Our economy needs strong, reliable and adaptable insurance companies Technology opens up to more and different types of fraud Technology also assists in our fight against fraud Working together creates a proper environment

'Change is the law of life and those who look only to the past or present are certain to miss the future'

John F. Kennedy





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