

# Match-Fixing—The Biggest Threat to Sport in the 21st Century?

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☞ Cheating at gambling; Sportspersons

The issue at the heart of this article makes me sit up and take notice as a lawyer, a qualified football referee and a passionate follower of sport across the board. It has been described by many, including high profile sporting figures, sport administrators and governing bodies, as a greater threat to the integrity of sport than doping. This threat is match-fixing. One of the most powerful guardians of sport, Jacques Rogge, the president of the International Olympic Committee (IOC), explains why, “Doping affects one individual athlete, but the impact of match-fixing affects the whole competition. It is much bigger.” Illegal gambling is the principal driver of what Rogge has also called a “cancer”.

## Mr Oleg Oriekhov v/ UEFA (CAS 2010/A/2172)

This case involved Ukrainian football referee Oleg Oriekhov who had a life ban from UEFA (the governing body of football in Europe) upheld by an arbitral panel (the Panel) of the Court of Arbitration for Sport (CAS). At the beginning of its judgment the Panel stressed the importance of what was being brought before them: “It is the first case of its kind in European football involving a match official as distinct from a player or coach. It therefore has an importance beyond that to the disputant parties.” The allegations against Mr Oriekhov came to light as part of widespread criminal investigations into possible fraud related to match-fixing and illegal gambling in Germany started in 2005 by the Public Prosecutor of Bochum. The major outcome of these investigations rocked the German second division and national cup competition to its foundations with, amongst other matters, the imprisonment and banning of referee Robert Hoyzer who admitted to fixing and betting on games in which he had officiated.

Mr Oriekhov had taken charge of the UEFA Europa League group match between FC Basel and CSKA Sofia on November 5, 2009, which ended 3–1. Following the aforementioned investigations it appeared that Mr Oriekhov was in contact with a criminal group involved in betting fraud and that he was offered approximately

€50,000 to manipulate the match. At the end of an internal procedure at UEFA, its Appeals Body considered that Mr Oriekhov had violated the principles of conduct and his duty to disclose illicit approaches, set out in the UEFA Disciplinary Regulations, in failing to report immediately to UEFA that he had received offers from certain individuals to take an active part in their match-fixing scheme. Given the seriousness of the findings, a life ban on exercising any football-related activity was considered the appropriate sanction.

Upon appeal to CAS the Panel confirmed the UEFA decision, concluding that it had been proved beyond reasonable doubt that there were repeated contacts between Mr Oriekhov and the members of a criminal group involved in match-fixing and betting fraud. The Panel went on to say that in their opinion Mr Oriekhov had deliberately violated the principles of conduct provided in the Disciplinary Regulations, as he did not inform UEFA immediately of the existence of such contacts. The Panel rejected the dubious defences of Mr Oriekhov that he had an inadequate command of English and that he was unaware who to make such a report to. His evidence at the hearing was described as “utterly lacking in credibility”. Finally, they considered that given the circumstances the severe punishment was proportionate, this being despite the fact that it was not established that Mr Oriekhov had actually influenced the result of the game as a result of the contact. This case is a stark warning to anybody in sport who becomes a target, and particularly to other match officials such as me.

## Just how widespread is match-fixing?

Football is far from alone in being a target for match-fixers. Some of the most recent incidences of suspected or actual match-fixing around the world are well known through the media, with others being less so and yet more surprising.

### *Basketball*

April 2011—Ten people, including two former players and a former assistant coach at the University of San Diego, were indicted in connection with a scheme to fix college basketball games since 2008. The defendants were charged in the federal grand jury indictment with scheming to fix University of San Diego Toreros games by bribing players and then betting on the games in Las Vegas,<sup>1</sup> one of the very few places in the United States where gambling on sport is legal.

### *Cricket*

August 2010—Pakistan international cricketers Salman Butt, Mohammed Asif and Mohammed Amir, and agent Mazhar Majeed, were accused of offences in relation to spot fixing (a specific sub-set of match-fixing) during the international test match between England and Pakistan

<sup>1</sup> “Ex-US college basketball players charged in game-fixing”, Marty Graham, Reuters, April 12, 2011.

at Lord's when no balls were bowled at specific points during England's innings. The evidence that such activities were taking place was brought to light through an undercover sting by a reporter from the now defunct *News of the World*, who offered Mr Majeed a large cash payment for information on when the no balls were to be bowled. Mr Majeed then arranged with the other defendants for the no balls to be bowled in exchange for cash payments. The information on when the no balls were to be bowled was then further exploited by betting on specialist markets offered by some bookmakers, particularly in the subcontinent where gambling on cricket is largely illegal.

Criminal charges for conspiracy were brought against the four defendants under the Prevention of Corruption Act 1906, Criminal Law Act 1977 and Gambling Act 2005. Contravention of the first two Acts carried a maximum penalty of seven years' imprisonment and contravention of the Gambling Act carried a maximum sentence of two years' imprisonment. Evidence produced at the trial in the form of information from secret recordings and text messages from the undercover sting, along with cross-examination of the defendants, gave the jury an insight into the tricks and subterfuge that connected betting syndicates with the sport, and convinced the jury to find the defendants guilty unanimously. In sentencing the defendants Mr Justice Cooke did not hold back with his criticism and contempt for what they had conspired to do and its consequences:

"It is the insidious effect of your actions on professional cricket and the followers of it which make the offences so serious. The image and integrity of what was once a game, but is now a business is damaged in the eyes of all, including the many youngsters who regarded three of you as heroes and would have given their eye teeth to play at the levels and with the skill that you had. You procured the bowling of three no balls for money, to the detriment of your national cricket team, with the object of enabling others to cheat at gambling."

Unsurprisingly the judge was of the opinion that the offences were of such a serious nature that only sentences of imprisonment ranging from six months to two years and eight months would suffice. These were reduced sentences given various pleas that were put forward by each of defendants and the playing bans imposed previously by the International Cricket Council (ICC) at an arbitration hearing at their Doha headquarters.<sup>2</sup> One might question whether the latter mitigating factor should be considered at all in a criminal trial. Butt and Amir subsequently appealed against their sentences but both were dismissed.

## Football

May 2011—The start of the Finnish football season was delayed by a week due to an off-season dominated by the impact of suspected match-fixing in the top division. The sport in Finland was reeling since the arrest of Wilson Raj Perumal, a convicted match-fixer who is at the heart of a global investigation into corruption in club and international football, who was subsequently jailed for two years. One club have been thrown out of the league for their contact with Perumal, two more were devastated by the arrest of 11 senior players, and the integrity of the entire Finnish game has been called into question. Confirmation of the shadow cast over the sport came hours before kick-off as a Helsinki court handed down seven-month suspended sentences to brothers Dominic and Donewell Yobe of FC Oulu. They had pleaded guilty to charges of bribery and admitted accepting €50,000 (£44,000) to fix a game last season. The chain of events began in February when police in the Lapland town of Rovaniemi received a tip-off that Perumal was travelling in the country illegally on a false passport.<sup>3</sup> Finnish Football Association managing director Kimmo J. Lipponen believes that the tentacles of the betting scandal that have shaken the foundations of Finnish football reach far beyond the country's borders. "The teams have not made any agreements between themselves. Instead, there are large-scale global criminal operators lurking in the wings. We are talking about a very big and serious matter here."<sup>4</sup>

July 2011—Perhaps the most high profile match-fixing scandal this past year due to its sheer scale has been in Turkey, where 93 officials and players have been indicted on charges ranging from match-fixing to the payment of bribes in relation to 19 matches.<sup>5</sup> The scandal emerged in July when the first batch of 31 officials and players, including important figures such as the chairman of recent league champions and most decorated club in Turkish football history, Fenerbache (who were subsequently banned by the Turkish Football Federation (TFF) from representing the country in the lucrative Champions League competition this season), were jailed pending the trial which began on February 14, 2012 to a chorus of over 1,000 Fenerbache fans chanting slogans in support of the suspects.<sup>6</sup> Other clubs to be implicated include league runners-up Trabzonspor and cup winners Besiktas, with officials including the Peker family (who have links to the mafia<sup>7</sup>) and the deputy chairman of the TFF. There are also interesting political movements which coincide with the scandal. A match-fixing law, driven by the clubs themselves, came into effect in April 2011 and set jail sentences for individuals found guilty of match-fixing at 12 years. However, since the scandal, allegedly due to

<sup>2</sup> "The cricket spot fixing trial—a stark reminder of the continuing enforcement of subsisting bribery and corruption legislation", Business Litigation Alert, SJ Berwin LLP, November 21, 2011.

<sup>3</sup> "Match-Fixing: Finland kicks off as players are sentenced", Paul Kelso, The Telegraph online, May 7, 2011.

<sup>4</sup> "Football betting scandal may escalate", Helsingin Sanomat.

<sup>5</sup> "Turkish Court accepts match-fixing indictment", Daren Butler, Reuters, December 9, 2011.

<sup>6</sup> "Match-Fixing Trial Splits Turkey", Joe Parkinson, The Wall Street Journal online, February 16, 2012.

<sup>7</sup> "Turkish Football Federation scared of Aziz Yildirim", Ecevit Kilic, Todays Zaman online, August 21, 2011.

the powerful nature of some of those implicated, the Turkish Parliament has voted through amendments which reduce the maximum sentence to only three years. This was against the wishes of President Abdullah Gul who said reduced penalties would not constitute a sufficient enough deterrent and would not give the public confidence that the matter was being dealt with as seriously as is warranted. Due to the political interference, softening attitudes to the issue, and failure to broker additional disciplinary measures and sanctions the TFF chairman felt it necessary to resign on January 31.<sup>8</sup>

2011/12—A number of match-fixing scandals across Africa and Asia (dubbed ‘Asiagate’) have surfaced over the past 12 months, many of them linked with the aforementioned Mr Perumal and the global operation run through his shady Football4U company.<sup>9</sup> The striking nature of these investigations, especially for the Fédération Internationale de Football Association (FIFA), is that they involve the alleged fixing of senior international matches. Concerns first came to light in Zimbabwe when the football association (ZIFA) revealed in February 2011 that there was an investigation taking place into tours in which the national team had taken part in between 2007 and 2009. Players involved in those tours subsequently admitted to throwing matches for money.<sup>10</sup> The probe revealed that not only had Asian gaming syndicates paid each player in the Zimbabwe squad €2,500–€3,500 in cash for each match lost, but also that last July, Monomotapa Football Club had twice impersonated the country’s national team and played Malaysia in international friendlies. As planned, they lost 4-0 and were handsomely rewarded. It has since been announced that 80 Zimbabwean footballers have been suspended by ZIFA pending the outcome of hearings in front of an independent ethics committee, which has been established as a direct consequence of the revelations. The international friendlies are thought to have been arranged specifically for the purposes of betting.<sup>11</sup> Again, politics is linked to what has happened, with the corrupt regime of government being said to mirror the attitude to football, which is “riddled with corruption” according to Zimbabwe’s sports minister. FIFA are so concerned that both its President Sepp Blatter and its current Head of Security Chris Eaton have visited recently to oversee how the allegations are being handled. FIFA has praised ZIFAs measures so far but has ‘serious reservations’ about the potentially selective application of justice in this sensitive case.<sup>12</sup>

A further potential ‘Asiagate’ scandal involves the South Africa national team and matches played in the country prior to their hosting of the 2010 World Cup. They played five matches, four of which used African

referees from Football4U’s so-called ‘referees exchange programme’, with the referee provided for the final game being changed by the South African football association at the last minute due to suspicions.<sup>13</sup> One of the referees in those four games was also involved in similar allegations investigated in relation to the ‘fake’ friendly between Togo and Bahrain in September 2010 and the allegedly fixed friendly between Nigeria and Argentina in June 2011.

### *Horse racing*

May 2011—Following a major investigation as a result of suspicious betting activity on more than one betting exchange and with traditional bookmakers, the British Horseracing Authority (BHA) charged 13 individuals, including five jockeys and two owners, with “serious breaches” of the rules of racing in relation to 10 races between January and August 2009, the principal of which is of “deliberately not riding a horse to obtain the best possible placing for personal reward or knowing it has been laid to lose”. It had been mooted that the charges are as part of a multi-million pound betting scandal which saw each of the jockeys pocket £5,000 for each race from criminal gangs who bet on them not to win.<sup>14</sup> After an 11-day hearing, on December 14 the BHA announced that it had found 11 of the 13 guilty of a range of offences and banned them for periods ranging between six months, 12 years (in effect being the end of the jockey’s career), and 14 years for the owners implicated (who were said to be the instigators). The scale and complexity of the case was said to be unprecedented in the history of the BHA.<sup>15</sup> Indeed, it may well be the biggest sports corruption case to come before a national governing body in the United Kingdom. One former member of the BHA said, “It surely must remain a source of great disappointment for racing’s rulers, as it is for any fan of the sport, that jockeys from both ends of the [financial] spectrum are susceptible to corruption for little more than pocket money.”<sup>16</sup>

### *Snooker*

April 2010—World number one and three time world champion (at the time) John Higgins MBE and his manager Pat Mooney (a board member of the world governing body of the sport, the World Professional and Billiards and Snooker Association (WPBSA)) were accused of taking bribes to throw snooker frames. The allegations came to light after a controversial newspaper sting operation by a *News of the World* team posing as promoters, who met with Higgins and his manager in a

<sup>8</sup> “Turkish Federation chairman steps down over match-fixing embarrassment”, David Gold, *Insideworldfootball.biz*, January 31, 2012.

<sup>9</sup> “Zimbabwe: Fifa Praise Asiagate Measures”, Hope Chizuzu, *The Herald*, February 14, 2012.

<sup>10</sup> “Corrupt players will be punished—Zifa chief”, Farayi Mungazi, *BBC Sport*, February 25, 2011.

<sup>11</sup> “Zimbabwe suspends 80 footballers as part of ‘Asiagate’ match-fixing probe”, David Smith, *Guardian online*, February 1, 2012.

<sup>12</sup> “Zimbabwe: Fifa Praise Asiagate Measures”, Hope Chizuzu, *The Herald*, February 14, 2012.

<sup>13</sup> “Match-fixing syndicates targeted Bafana games”, Mazola Malefe, *Timeslive.co.za*, February 5, 2012.

<sup>14</sup> “Five jockeys and two owners face serious BHA charges”, *BBC Sport*, May 20, 2011.

<sup>15</sup> “Four jockeys banned for corruption by BHA”, Joe Wilson, *BBC Sport*, December 14, 2011.

<sup>16</sup> “Corruption in Horse Racing—Nay not again!”, Oliver Codrington, *LawinSport.com*, February 1, 2012.

hotel room in Kiev, Ukraine, under the pretence of organising a series of events linked to the World Series of Snooker. The newspaper alleged that Higgins and Mooney had agreed to lose four frames in four separate tournaments in exchange for a €300,000 total payment, and further discussed the mechanics of how to fix a frame, which tournaments and opponents to choose, and how to transfer the money to Higgins. Higgins was immediately suspended from the game and Mooney resigned from his position on the WPBSA board. Higgins issued a statement on the same day as the allegations were published denying he had ever been involved in match-fixing, and explained that he decided to “play along” out of fear for his safety, suspecting the involvement of the Russian mafia. The independent tribunal that followed concluded that Higgins had truthfully accounted for his words and actions and withdrew the more serious charges of match-fixing, but found him guilty of “giving the impression” he would breach betting rules, and of failing to report the approach.<sup>17</sup> Higgins received a six-month ban and was fined £75,000.<sup>18</sup>

### Sumo wrestling

February 2011—The Japan Sumo Association cancelled the grand tournament over allegations of match-fixing which implicated 13 senior wrestlers. This came to light when text messages were found on mobile phones that had been confiscated the previous year by the police during an investigation into illegal gambling on baseball games by wrestlers using gangster middlemen. The sport has its origins in religious rites, and as a result there is a strict code of conduct for the wrestlers to observe, leading the Japanese Prime Minister to call the scandal a “betrayal of the people”.<sup>19</sup>

### Tennis

August 2007—The most high profile case of match-fixing in tennis occurred when Nikolay Davydenko, ranked number four in the world at the time, was involved in a match which betting exchange Betfair said bore all the hallmarks of having been fixed, with £7 million having been placed on the game, most of which was placed on his lower ranked opponent. Despite being cleared of all the charges, and therefore innocent in the eyes of the law, Mr Davydenko has been associated with Alimzhar Tokhtakhounov, who in 2002 was accused by the FBI of fixing figure skating events at that year's Winter Olympics in Salt Lake City.<sup>20</sup>

May 2011—The organiser of the worldwide tennis tour for men (the Association of Tennis (ATP)) handed down a life ban and \$100,000 fine to Austrian Daniel Koellerer, who had been as high as number 55 in the world. He was found guilty of three offences in relation to match-fixing, both of his own matches and trying to coerce other players to participate in match-fixing between October 2009 and July 2010.<sup>21</sup> Koellerer appealed to CAS and following a two-day hearing at the end of November and a verdict is due soon.

From that list it is evident that match-fixing is a worldwide, large-scale, multi-discipline problem which creates significant difficulties in terms of detection and prevention. Moreover, the above is just a small flavour of the breadth and depth of match-fixing. Indeed, it is surprising that up until recently more is not made of the problem and its threats to the integrity of sport in the media. Chris Eaton, FIFA's outgoing security chief and for a decade head of operations at Interpol (the largest worldwide international police organisation with 188 member countries whose mission is to prevent or combat international crime), believes that match-fixing in football alone yields over £55 billion annually, which is the equivalent to the money made through legal betting channels.<sup>22</sup>

### Why do people involved in sport agree to match-fix?

Money is the main motivation, but there have to be *reasons* why some people and sports are more susceptible than others,<sup>23</sup> particularly given the professional and legal ramifications of getting caught. It is rarely money alone that is the sole reason for agreeing to participate in match-fixing.

A first possible explanation is that *individuals* involved in sport are easier to manipulate than those involved in a team environment, where the risk is much higher due to complex interactive outcomes. This is often a reason put forward in tennis and snooker, for instance. Furthermore, this explains why referees are a prime target, particularly in football as evidenced in the *Oriekhov* case and the recent conviction of Chinese international referee Huang Junjie,<sup>24</sup> as they have a high degree of influence over the outcome of a contest. Interestingly, however, statistics from Declan Hill (a leading academic in the area) show that referees are often, unwittingly, unable to deliver a successful fix, and in reality corrupting club officials delivers the highest success rate as they can influence the club and its entire culture.<sup>25</sup>

<sup>17</sup> “Corruption: Agreeing to match-fixing under duress: analysis”, Kelly Hudson and Rod Findley, *World Sports Law Report*, Volume 8(6), June 2010.

<sup>18</sup> “World Snooker launches anti-corruption unit”, BBC Sport, September 20, 2010.

<sup>19</sup> “Sumo tournament cancelled amid match-fixing scandal”, BBC News Asia-Pacific, February 6, 2011.

<sup>20</sup> “Match-fixing in Tennis”, David White, Tennisbet.com, June 26, 2009.

<sup>21</sup> “Former world No 55 Koellerer banned for life as tennis tackles match-fixing”, Mike Dickson, Daily Mail online, May 31, 2011.

<sup>22</sup> “FIFA: Match-fixing now worth £55bn”, Reuters, May 18, 2011.

<sup>23</sup> “Examination of Threats to Integrity of Sports”, Section 4.4, Oxford Research A/S, April 2010.

<sup>24</sup> “Chinese referee Huang Junjie admits fixing matches including Sydney FC game”, *The Australian*, December 20, 2011.

<sup>25</sup> “To Fix or not to fix? How corruptors decide to fix football matches”, Declan Hill, *Global Crime*, Volume 10(3) 157–177, August 2009.

Any sport, or level within a sport, which is scrutinised less rigorously will be more susceptible to match-fixing. This is often the case with lower league football, which is less strictly scrutinised due to its importance in the overall football pyramid in a particular country, for instance in Italy, or can arise due to insufficient attention on the part of the governing body in giving the seriousness of the threat of match-fixing the true weight and resources it deserves. Prior to the recent Pakistan cricketers scandal, the ICC which, despite other numerous high profile match and spot fixing cases (including former South Africa captain Hansie Cronje who was found guilty in 2000), spent less than 1 per cent of its profit on its Anti-Corruption and Security Unit,<sup>26</sup> which I would argue was disproportionately low. This is in contrast to the International Tennis Federation (the world governing body of tennis) which spends 30 per cent of its worldwide development fund on its integrity unit.<sup>27</sup>

Historically, Italian football is the prime example of a third possible reason for the likely targets for match-fixing as in end-of-season games, where neither team needs to win (in essence a ‘dead rubber’) they agree to play out a draw, so match-fixing is more prevalent where the contest does not affect the final outcome of a competition.

In a similar vein, where match-fixing does not involve losing but only securing that certain actions take place, more commonly known as ‘spot fixing’ (which also encompasses so-called ‘point shaving’), as in the case of the three Pakistani cricketers, then the feeling of guilt in a player/official and risk involved is far less therefore they are more likely to be open to offers made to them. This particular threat has become even more pressing in cricket since the advent of the Twenty20 format for two reasons: the combination of the party atmosphere, the entertainment and the celebrity status of the players which surround the Twenty20 revolution makes them more vulnerable to approaches from unscrupulous characters; and the extremely fast-paced nature of the game makes it difficult to detect parts of the match which may have been spot-fixed.<sup>28</sup> Indeed, the leading Twenty20 competition in the world, the controversial Indian Premier League (IPL), has attracted adverse remarks in a report submitted to the executive board of the ICC due to its potential to increase the risk of match and spot fixing.<sup>29</sup>

The stand-out reason in most people’s minds is, as ever, the allure of money. I have already stated some mind-boggling figures associated with the practice of match-fixing and those offered to targets are no less startling given the context and circumstances for each individual. This can manifest itself in the fact that they are paid too little in general, or that their level of

remuneration is viewed as unjust. The amount offered to John Higgins was £250,000 to throw just four single frames. Pakistan international cricketers are paid 20 times less per year than their English and Australian counterparts, and four times less than their Indian neighbours.<sup>30</sup> This is partially due to the fact that Pakistan cannot raise revenue by playing in their home country due to security concerns and that the players are banned, for political reasons, from playing in the highly lucrative Indian Premier League.<sup>31</sup> The recent FIFPro Black Book Eastern Europe study proves that there is a clear link between not just low payment, but non-payment, and match-fixing. It cites in particular the case of Mario Cizmek, a former Croatian youth international, whose most recent club promised to pay the players but month after month nothing materialised. With players being self-employed in Croatia, despite not receiving the money “our obligations to the state were growing and growing ... this desperate situation made us all very vulnerable and encouraged us to fall into the trap of match-fixing”. Having been arrested a year ago, and awaiting a criminal procedure to start, Mr Cizmek says he has “lost everything” including his friends, his job and his career in football.<sup>32</sup>

Finally, and perhaps of a more troubling nature, is the prospect of agreeing to match-fix as a result of duress. This was one of the defences put forward by John Higgins and a prominent worry in the recent match-fixing scandal in South Korean football where a player was found dead in a hotel room accompanied by a suicide note referring to a match-fixing ring.<sup>33</sup> Duress can take two forms: duress by threats and duress by circumstances.<sup>34</sup> The legal hurdle to be overcome to be successful with either variant of this defence is high and not often successful in a sporting context. However, given the increasing prevalence and acknowledgement of the involvement of criminals and gangs who orchestrate large-scale match-fixing this may become an increasingly frequent tale when sports people are caught out. If you were told that if you did not agree to go along with the plan then your family will be in danger, what would you do? Suddenly the money seems quite appealing after all, and upholding your own reputation and that of the sport less so.

Hopefully, it is now clear that there are a multitude of reasons why illegal bookmakers and criminals try, and indeed succeed, in targeting certain sports, and individuals within those sports, more than others.

<sup>26</sup> “Integrity: Combating spot-fixing in cricket: the role of the ICC”, Amrut Joshi, *World Sports Law Report*, Volume 9(1), January 2011.

<sup>27</sup> “Betting and the integrity of sport (International Update)”, Huw Roberts—IAAF Legal Counsel, presentation Sport & Gambling conference, London, September 29, 2011.

<sup>28</sup> “Integrity: Combating spot-fixing in cricket: the role of the ICC”, Amrut Joshi, *World Sports Law Report*, Volume 9(1), January 2011.

<sup>29</sup> “IPL has increased match-fixing risk, says ICC review report”, Vijay Tagore, *dnaindia.com*, February 3, 2012.

<sup>30</sup> “Pakistan betting scandal: Divide and fall in cricket’s great pay gap”, *Dalymail.co.uk*, Lawrence Booth, August 31, 2010.

<sup>31</sup> “Integrity: Combating spot-fixing in cricket: the role of the ICC”, Amrut Joshi, *World Sports Law Report*, Volume 9(1), January 2011.

<sup>32</sup> FIFPro Black Book Eastern Europe, Section 5.5.2, February 2012.

<sup>33</sup> “Match-fixing South Korean footballers banned for life”, BBC News Asia-Pacific, June 17, 2011.

<sup>34</sup> “Corruption: Agreeing to match-fixing under duress: analysis”, Kelly Hudson and Rod Findley, *World Sports Law Report*, Volume 8(6), June 2010.

## Ramifications of match-fixing

The ramifications of match-fixing seem to take three forms: penalties from governing bodies; criminal sanctions; and reputational damage. I would argue that the final one of those can be equally, if not more, damaging than the first and second which would usually strike the most fear into the hearts of people involved in sport.

The ultimate responsibility to keep sport clean from match-fixing lies with the governing bodies. In a report undertaken for the UK Government in February 2010 by the Sports Betting Integrity Panel (SBIP),<sup>35</sup> with the mandate to look at a wide range of issues relating to the integrity of sports betting, the panel formulated a uniform code of conduct on integrity which it recommended should be implemented across all sports. As part of its report the SBIP examined how 12 of the governing bodies each currently dealt with the following threats: placing a bet; soliciting a bet; offering a bribe; receiving a bribe; misuse of privileged information; failing to perform to one's merits; and reporting obligations. Worryingly, in 38 per cent of instances the governing bodies made no provision for the threats, indeed the IAAF (athletics) and Royal & Ancient/PGA (golf) made no provision in their rules for any of the seven. As it stands now, the IAAF has limited rules but no enforcement programme as yet.<sup>36</sup> One of the panel's conclusions was as follows:

"It is imperative that sports governing bodies have clear rules in relation to betting and insider information in their sports and for those rules to be communicated in an effective manner which is clearly understood by participants or competitors."

In respect of the contravention of any rules, the punishments have to be extremely severe as a deterrent and to show all stakeholders, especially the fans, that this threat is being taken seriously. Earlier it was mentioned how UEFA gave a life ban to Mr Oriekhov simply for failing to report that he had been approached to match-fix. Similarly, Daniel Koellerer was given a life ban by the ATP. As well as bans the other weapon in the armoury of sports governing bodies (SGBs) is fines, as seen in the punishment handed down to John Higgins. Fines have to be at least equal to the amount gained from participating in match-fixing and in my opinion should have a penal element to them above and beyond this to give fines their true effectiveness.

Criminal sanctions are, some would argue, the most effective deterrent to match-fixing. There is nothing like being called a 'criminal' for a sportsman's personal and professional integrity to be eternally damaged. Once again, criminal fines are an option, but more powerful in extreme cases is the possibility of a prison term, such as

the lengthy terms handed down to the Pakistan cricketers. It is a positive sign that national crime prevention organisations are taking match-fixing seriously, both in terms of the sources of the threat (below) and of those participating in it. Mr Perumal's prison sentence in the Finnish scandal is the most high profile of recent times but at only two years in length is in many people's opinion woefully inadequate, "token at best", in not reflecting the gravity of the damage inflicted on individuals and football generally. Chris Eaton did, however, see positives from the sentence:

"If Wilson Perumal's real legacy is a better understanding of how criminals avoid detection while operating globally and freely roaming, and this then enables us to protect football, this is a far better outcome than a short prison term."

To allow such punishments to take place, legislators in each country have to have well drafted, robust and overall effective laws in place. There was some scrutiny of this in the SBIP report in relation to the definition of "cheating" under section 42 of the UK Gambling Act 2005. In its recommendations to Member States, the Committee of Ministers of the Council of Europe had this to say:

"Member States should ensure that their legal and administrative systems are provided with appropriate and effective legal means for combating manipulation of sports results."<sup>37</sup>

Other jurisdictions too are beginning to realise that their statutory frameworks are insufficient to tackle this growing problem:

- **Australia**

Match-fixers could be jailed for up to 10 years after State and Territory ministers agreed in November 2011 to introduce nationally consistent criminal offences for those who engage in match-fixing conduct or encourage others to do so.<sup>38</sup> Minister for Sport Mark Arbib had this to say, "Australia is putting in place a comprehensive strategy in order to deter and deal with match-fixing, consisting of codes of conduct and education for players and officials, consistent national regulation of sports betting and now nationally consistent criminal sanctions."

<sup>35</sup> Report of the Sports Betting Integrity Panel, Chapter 2b, February 2010.

<sup>36</sup> "Betting and the integrity of sport (International Update)", Huw Roberts—IAAF Legal Counsel, presentation Sport & Gambling conference, London, September 29, 2011.

<sup>37</sup> "Recommendation CM/Rec (2011) 10 of the Committee of Ministers of Member States on promotion of the integrity of sport against manipulation of results, notably match-fixing", Recommendation C12, September 28, 2011.

<sup>38</sup> "Match-fixers will face jail under nationally-consistent laws", [ausport.gov.au](http://ausport.gov.au), November 21, 2011.

- **Bulgaria**

Parliament has approved legal amendments to make match-fixing and corruption in sport a crime with up to six years' imprisonment.

- **Russia**

It is claimed that up to 40 per cent of Russian Premier League matches, and more than 50 per cent of lower league matches, are allegedly not as competitive as they should be due to match-fixing.<sup>39</sup> Amazingly, there are even websites where fans can buy information on exactly which matches have already been fixed, to use for betting purposes.<sup>40</sup> Having been awarded the football World Cup in 2018 Sergei Stepashin, the powerful head of the national audit office, said in an open letter to Prime Minister Vladimir Putin that Russia had to draw up tough anti-match-fixing laws. As a consequence, a new law is to be laid before Parliament which would for the first time allow criminal prosecution for match-fixing in the country.<sup>41</sup>

All of the above action is driven by the fact that even a mere suspicion of match-fixing, not adequately provided for or dealt with, is just as damaging as an actual scandal occurring. SGBs, government bodies and international bodies were part of an IOC summit held in February reflecting this view where there was a consensus that sporting fraud should be made a criminal offence across the world.<sup>42</sup> Hein Verbruggen, President of SportAccord (the umbrella organisation for 105 Olympic and non-Olympic sports federations) says, "Integrity in sport is our most important commodity. Fans must believe what they see on the field of play represents a true test of the competitors' skills. If they cannot, there is a real risk that they will ignore the sport and take sponsors and broadcasters with them."<sup>43</sup> This is in my opinion the crux of the reason to fight match-fixing and elevate it above doping in terms of importance.

Reputational damage to any professional is a significant intangible consequence of being accused of corruption in any walk of life, and sports people are no exception. Simply being accused of match-fixing, even if ultimately found not guilty, can see a sports person viewed suspiciously for the rest of their career by fellow professionals, fans and journalists, and can ultimately ruin a person's career. I believe this is a consequence

which is often underestimated and overlooked. That is why it is of utmost importance that the law provides protection and redress for those who are wrongly accused of such behaviour. Defamation laws are where this protection is found. The challenge for legislators is to strike the right balance between investigating people and revealing their identity backed by sufficient evidence, and making unfounded and indeed malicious allegations. This tension is currently best highlighted in privacy cases, such as that involving former head of the FIA, Max Mosley, who took his case against the *News of the World* on appeal to the Grand Chamber of the European Court of Human Rights,<sup>44</sup> and there are few high profile instances in sport in recent years where this has been an issue. However, New Zealand international cricketer Chris Cairns has sued Lalit Modi, the then head of the powerful Indian Premier League Twenty20 cricket competition, over comments he made on Twitter alleging that Cairns was a match-fixer,<sup>45</sup> with the trial due to start in the High Court in London on March 5.<sup>46</sup>

### The sources and type of people engaged in arranging sports to be fixed

So who organises match-fixing, tempting sports people to put their careers at risk in a disciplinary, reputational and criminal sense? There appear to be various different categories of people who are engaged, ranging from criminals running illegal betting syndicates, to the players themselves.

It is perhaps best to start by addressing the stereotypes that exist, namely that the people/criminals come from Eastern Europe, Russia and the Far East. This is not without substance as can be seen in many of the instances I have mentioned including in football, snooker and tennis. Yet is far too simplistic to say that these are the principal problem areas, as we are dealing with a truly worldwide problem, with criminals and their organisations' tentacles spreading far and wide across the globe.

The primary source of concern for governing bodies around the world on this topic is that many of the problems surrounding sport gambling arise from territories and markets where gambling is banned, such as the Far East, because where there are prohibitions gambling is driven into the black market.<sup>47</sup> Indeed, Interpol has revealed that through operations in this part of the world it has made nearly 7,000 arrests. Further, it estimates the volume of illegal betting and match-fixing to be worth \$500bn (£311bn) in the Asian market alone.<sup>48</sup>

<sup>39</sup> "Russia searches for weapon against match-fixing", Today's Zaman online, August 22, 2011.

<sup>40</sup> "Russia searches for weapon against match-fixing", Today's Zaman online, August 22, 2011.

<sup>41</sup> "Russia set to criminalise match-fixing", supersport.com, January 11, 2012.

<sup>42</sup> "IOC steps up fight against illegal betting, seeks global pledge to criminalize sports fraud", *The Washington Post*, February 2, 2012.

<sup>43</sup> "Integrity in sport: Understanding and preventing match-fixing", SportAccord, November 2011.

<sup>44</sup> "Max Moseley—European Court of Human Rights", Collyer Bristow, June 2, 2011.

<sup>45</sup> "Chris Cairns sues Lalit Modi over match-fixing allegations", *The Sydney Morning Herald*, January 8, 2010.

<sup>46</sup> "Cairns libel case against Modi to start March 5", rediff.com, February 26, 2011.

<sup>47</sup> "Sports bookmakers seek safety in numbers against cheating", Bill Wilson, *BBC Business News*, November 10, 2010.

<sup>48</sup> "Fifa aware of match-fixing fears", Robin Scott-Elliott, Independent online, March 11, 2011.

There is an interesting interplay with the legal betting industry, many of whom are now household names. If there is a match-fixing scandal involving betting, licensed bookmakers can lose money as people stop betting and the whole industry is tarnished. Additionally, Khalid Ali, the secretary general of the European Sports Security Association, which with the help of its bookmaker members monitors irregular betting patterns and insider information, says, "Most of our members are listed on stock markets, so it is also in their interests to stop bribery, corruption and match-fixing."<sup>49</sup> Taking this a step further, legal bookmakers must make a decision on whether to pay out on suspicious matches. If they do not then honest, valuable customers may stop betting with that firm, whilst if they do pay out then this may encourage future match-fixing, so there is a trade off for bookmakers between co-operation and looking after number one.<sup>50</sup> Playing devil's advocate, some may even go as far as to say that undermining all forms of gambling is not a bad thing for society if viewing it as a moral hazard, but that is very much outside the scope of this article.

Overall the following have been factors, all of which are inter-related, that have provided greater opportunities for corruption through sports gambling and therefore new challenges for the authorities: the number of betting possibilities (including the advent of in-play betting and spread betting), betting exchange and advances in technology. Indeed, the head of Interpol, Secretary General Ronald K. Noble, has said recently that with increased internet access, remote betting has revolutionised the gambling market in terms of reach and speed, providing opportunities for cybercrime to overlap illegal betting, creating more potential targets and more challenges for law enforcement.<sup>51</sup> Betting exchange is particularly interesting as it has been a revolution in the betting industry (not necessarily for the good), changing the economic model for sports betting, which has brought with it two specific concerns:

1. with the possibility of either backing or laying bets, both punters and betting companies can adopt hedging strategies exactly like those for financial markets—this can create what financial traders would term 'synthetic' products without the control of a regulator; and
2. with the chance to both back and lay bets, punters are able to manipulate markets with simple match-fixing rumours or match-fixing attempts and win whatever happens—they simply need to back one team to win and lay a bet on the same team.<sup>52</sup>

With all of these developments there is also the associated problem of increased money laundering and a heightened criminal presence.

A darker side is emerging to the behaviour of people involved in organising match-fixing. One matter I addressed earlier is threats through duress. The second, doping, has only come to light as part of the latest match-fixing scandal to surface in Italian football. It has been alleged that in a match in November 2010, *Paganese v Cremonese*, players had their drinks spiked in an attempt to hamper their performance, with several falling ill during the game. That innocent players are being dragged into the murky world of match-fixing without any knowledge or consent is in my opinion morally heinous. Furthermore, along with the usual criminal characters implicated, several well-known players, including former Italian international Christian Doni, are said to have been actively complicit in organising this second round of fixing to take place<sup>53</sup> with 17 people now facing criminal charges.<sup>54</sup>

### Current action being taken to prevent match-fixing and how to enhance it

A comprehensive strategy to combat the complex global threat of match-fixing must be built on a thorough understanding of the nature and scale of the threat by all the stakeholders in sport.<sup>55</sup> Having examined the nature and scale of the threat it is possible to analyse what action is being taken and to evaluate its effectiveness, or otherwise.

An effective way to formulate a strategy is to focus efforts around a number of principles. Having examined what academics, policy makers and sporting bodies consider to be the key principles in combating match-fixing they appear to fit into three categories: formulation of clear guidelines; compliance with and surveillance of those guidelines; and education.<sup>56</sup>

#### Clear guidelines

The formulation of clear guidelines by SGBs, alongside the aforementioned legislation, is crucial so that participants in sport know what is and is not allowed. As with any type of legislation or rules, those affected by it need to be able to understand them so that their rights are adequately accounted for. To produce the best set of guidelines there needs to be thorough understanding, and if necessary review, of the problem. SportAccord, as part of its commitment and recent action in relation to match-fixing, has produced both a comprehensive set of "Model Rules on Sports Integrity in Relation to Betting

<sup>49</sup> "Sport bookmakers seek safety in numbers against cheating", Bill Wilson, *BBC Business News*, November 10, 2010.

<sup>50</sup> "Match-fixing in tennis", David White, *Tennisbet.com*, June 26, 2009.

<sup>51</sup> "Interpol chief urges increased international co-operation against rising threat of illegal sports betting", *Interpol News*, March 1, 2011.

<sup>52</sup> "Integrity in sport: Understanding and preventing match-fixing", *SportAccord*, November 2011.

<sup>53</sup> "Italian football rocked by fresh match-fixing scandal", James Callow, *Guardian online*, June 2, 2011.

<sup>54</sup> "Ex-Italy player Cristiano Doni arrested over match-fixing", *BBC Sport*, December 19, 2011.

<sup>55</sup> "Examination of threats to integrity of sports", Section 4.5, *Oxford Research A/S*, April 2010.

<sup>56</sup> "Examination of threats to integrity of sports", Section 5, *Oxford Research A/S*, April 2010.

for all International Sports Federations and Organisations” (the Rules) and a “Code of Conduct on Sports Betting Integrity for athletes and officials” (the Code).<sup>57</sup>

The Rules are broken down into four sections:

i. **Regulation of participants’ betting activities**

Of interest here is first the “Obligation on participants to be responsible for their own actions”, and secondly the offences to be established which are extremely (and welcomingly) wide in scope;

ii. **Regulation of competitions**

As a referee myself I was particularly intrigued by the following and how it would operate: “Introduction of random financial audits for referees and judges and regular scrutiny of their field decisions”. Also, how would individual SGBs react if they had the following powers, “Prohibition of unauthorised betting types and formulas following identification by individual [SGBs] of the authorised betting types and formulas”?;

iii. **Disciplinary procedures and sanctions**

These seem to balance appropriately the need for wide discretionary disciplinary powers with appropriate safeguards provided for the accused’s rights; and

iv. **Recommendations regarding data exchange**

Here support for an International Convention on Sports Integrity is mentioned, which is a controversial topic in this area, and again respecting the accused’s human rights during investigations.

The Code is encapsulated in five headline but simple Guiding Principles which I think are easy to remember and understand which is positive:

1. Be Smart: know the rules.
2. Be Safe: never bet on your sport.
3. Be Careful: never share sensitive information.
4. Be Clean: never fix an event.
5. Be Open: tell someone if you are approached.

Around both the Rules and Code, SGBs should make such amendments as may be necessary to their rules and regulations to satisfy minimum standards, as a “one-size-fits-all” approach is unlikely to be appropriate

across the board. Setting standards across all sports is following the approach of the World Anti-Doping Agency (WADA) with the World Anti Doping Code.

### *Compliance and surveillance*

In terms of compliance and surveillance, it is obvious that a code of conduct cannot be effective on its own, and chiefly it lays at the feet of SGBs the need to have effective mechanisms in place to ensure compliance with their rules. Best practice in ensuring compliance needs to include some form of intelligence gathering, investigating and evidence gathering to satisfy the twin aims of prevention and detection.<sup>58</sup> There are seemingly three ways in which this can be done: through anti-corruption units, early warning systems (EWS), and information sharing.

The majority of sports now have an anti-corruption unit in place: unfortunately, the establishment of many of them has been reactive following the revelation of a match-fixing scandal, rather than pro-active. This is reflective of the fact that many sports have buried their head in the sand for too long being adamant they were clean and “it couldn’t happen to us!” The establishment only in September 2010 of a new integrity unit to police snooker following the John Higgins scandal being evidence of the insular, haughty and delusory attitude of some sports to match-fixing.<sup>59</sup>

With very much the same aims of pooling intelligence, resources and expertise, in recent years there has been the advent of the EWS. One of the key advantages of an EWS is that it has the expensive technical systems and expertise that it is not proportionate or possible from a cost perspective for regulators and SGBs at national level to acquire or pursue. The apparent leader in this area is FIFA’s EWS based in Switzerland, which was launched in 2005. The declared objective of the organisation is “to safeguard the integrity of sport”.<sup>60</sup> It has been structured as a legally independent and autonomous company, and does not pursue any commercial interests on the international betting market. Although it is primarily there to protect football and FIFA’s slogan of “For the Game. For the World”, it was also in operation at the Olympic Games in Beijing in 2008 on behalf of the IOC.

A cornerstone of the effectiveness of FIFA’s EWS is its trusted and intensive partnerships with more than 400 national and international bookmakers who have contractual agreements, usually Memorandums of Understanding (MoUs), to share and exchange information and an obligation to report any irregular or suspicious activities in sports betting. This reflects what was mentioned earlier, that it is in the interests of legal bookmakers to combat the threat of match-fixing through illegal betting channels: “[Legal] operators are the first to lose out if matches are fixed because in the short term

<sup>57</sup> “Integrity in sport: Understanding and preventing match-fixing”, Appendix 1, SportAccord, November 2011.

<sup>58</sup> Report of the Sports Betting Integrity Panel, Chapter 4, February 2010.

<sup>59</sup> “World Snooker launches anti-corruption unit”, BBC Sport, September 20, 2010.

<sup>60</sup> <http://www.fifa-ews.com>.

they are likely to lose directly on the bets and long term lose indirectly if the market decreases because people lose faith in sport.<sup>61</sup> In response to this overarching threat to their industry in 2005, and in response to the Hoyzer affair in German football in the same year, a number of European betting operators set up their own EWS, the European Sports Security Association (ESSA) based in Brussels. A reflection of how serious a threat ESSA considers match-fixing to be is that from its central office it shares information and security and passes it on to sports organisations free of charge.<sup>62</sup> MoUs aim to deliver both a level of protection, by seeking to detect irregular betting and allow sports to take action before the event, and also provide evidence to convict and punish the parties that corrupt sport. A problem at the moment is that there are various forms of MoUs established by individual operators, trade associations and sporting bodies that continue to grow in number and in an uncoordinated fashion. A further contributory factor appears to be that MoUs are being agreed with sporting organisations that have no direct integrity operation or remit.

### Education

Education about the threat of match-fixing, and the consequences to individuals and the sport, is an area which has been very much neglected and behind the work of WADA, which in 2007 introduced education seminars and workshops.<sup>63</sup> The SportAccord Code includes an encouragement to provide education:

“International federations are encouraged to co-operate with governments and responsible betting operators ... [for the] development of a common Education Programme regarding the potential risks related to sports betting, match-fixing and international crime.”<sup>64</sup>

The “Integrity in Sport” report itself is designed to complement “the online e-learning Programme on How to Prevent Match-fixing From Destroying Your Career” that has been developed specifically for athletes and officials.

In the United Kingdom, the SBIP report has an entire section dedicated to the education of competitors.<sup>65</sup> The key recommendations that came from the specific working group on this topic were as follows:

- SGBs and player associations in each sport should work together in the development of a communication programme to highlight the rules of the sport and for education;

- the basis of an effective communication programme should be to provide face-to-face education to all participants or competitors at both youth and professional level fully to explain the rules, and what is a breach of those rules, in a way which they will understand; and
- verification of participants’ understanding of the communication programme should be evidenced through informal tests at the end of the programme.

The England and Wales Cricket Board (ECB) and the Professional Cricketers Association are seen as flag bearers in terms of match-fixing education in the United Kingdom, not that it has wholly eradicated the issue as seen by the recent Mervyn Westfield conviction,<sup>66</sup> through both its face-to-face and online programmes. Chief Executive of the ECB David Collier stressed: “We’ve only been too pleased to share our experience and our process with countries around the world ... I think we have a leadership role to play and we shouldn’t be afraid to play it around the world in support of the ICC.” Coaches are also realising their responsibility in this respect with Jason Gillespie, the new Yorkshire County Cricket coach (and former Australia pace bowler), believing it is part of his job to advise his players against the dangers of match-fixing: “... part of a coach’s responsibilities is to educate people in all aspects of the game and aspects of life. If you do that, you’d like to think your guys will make good decisions consistently.”<sup>67</sup>

Interestingly, WADA has also initiated youth programmes, including a Social Science Research Grant Programme which supports and encourages research in social science in order to obtain information that will enable more efficient doping prevention strategies. Why not do the same for match-fixing and corruption? It could stimulate interest and research to fill deficiencies, both in terms of specialism and finance, in the current approaches of SGBs. Additionally, from the field of social science,<sup>68</sup> research has shown that school-based programmes integrated into multi-level strategies involving also family and community would bring long-term changes and enhance effectiveness.

### Other prevention methods

The other area of prevention is from the participants in sport. It is imperative that players themselves come forward with any knowledge they have of corruption that is going on in their own sport, as there is often an asymmetry of information between them and the SGB. For instance, the ATP prides itself on being one of sport’s

<sup>61</sup> “Examination of threats to integrity of sports”, Section 5.2, Oxford Research A/S, April 2010.

<sup>62</sup> “Examination of threats to integrity of sports”, Section 5.3, Oxford Research A/S, April 2010.

<sup>63</sup> “Examination of threats to integrity of sports”, Section 5.2, Oxford Research A/S, April 2010.

<sup>64</sup> “Integrity in sport: Understanding and preventing match-fixing”, Appendix 1, SportAccord, November 2011.

<sup>65</sup> Report of the Sports Betting Integrity Panel, Chapter 3, February 2010.

<sup>66</sup> “Mervyn Westfield jailed for four months over betting scam”, BBC News Essex, February 17, 2012.

<sup>67</sup> “Education key to beat match-fixing: Gillespie”, Eurosport online, December 15, 2011.

<sup>68</sup> “Prevention through education”, Backhouse et al, Leeds Metropolitan University, 2009.

more efficient self-regulating bodies, with a significant input from players.<sup>69</sup> One way in which to encourage participants to come forward is the use of whistle-blowing channels. This is something which Eaton has persuaded FIFA is a positive thing to do, with a hotline and website offering whistle-blowers help in 180 languages due to be operational imminently.<sup>70</sup> Crucially, and imperative for this to be a success, FIFA have also committed to protecting those who do come forward with valuable information with anonymity and immunity from prosecution, as in the FIFPro Black Book Eastern Europe report it said, “[players] are anxious about sanctions or prison sentences if they talk about match-fixing”.<sup>71</sup> Importantly, the use of anonymous witnesses in match-fixing cases was confirmed by CAS in the recent *FK Pobeda* case.<sup>72</sup>

### What the future holds

Having now looked at the past and present, and made suggestions for improvement, what are some of the most influential bodies in a governing capacity in sport looking to implement in the future, to address the multitude of concerns highlighted throughout this article?

The competition that has remained largely untouched by corruption despite being the biggest in the world is the Olympics. Given the largely amateur (i.e. unpaid) standing of its competitors, the financial gains to be made from becoming complicit in match-fixing are persuasive. Indeed, Jacques Rogge admits that his organisation cannot afford to be naïve or complacent.<sup>73</sup> To prevent such complacency setting in the IOC are currently considering three options to tackle illegal betting: a new body based on a formalised structure; a body based on existing United Nations/Council of Europe conventions; or to continue building alliances and communication between SGBs, governments and international bodies such as Interpol.<sup>74</sup> To fund any of the options Mr Rogge has called for controversial legislation that will see sport receive a portion of betting revenues as a rule across European countries.<sup>75</sup> He believes that the regulated betting industry’s role as an ally in the fight to protect the integrity of sport should come at a price. He says that the IOC favours a system where betting operators are licensed by the national government but that SGBs should have a “fair return” for their efforts for organising the sport from the operators’ financial income. This “levy” has been justified on the basis that the betting operators use sport’s “intellectual property” (IP) to their commercial

advantage.<sup>76</sup> Although, as already shown, legal betting operators want to help in the fight, and many people can be integral to it, they do not buy into the idea that bookmakers are somehow using sport’s IP and should therefore have to pay for the privilege. However, if the goals of an SGB or government are simply driven by short-term financial aspirations, the long-term prize for cleaning up sport for good could remain a distant pipe dream.<sup>77</sup>

The IOC has very much heightened its efforts in light of the upcoming London 2012 Olympic games this summer, alongside the UK Government, with Olympic Minister Hugh Robertson recently saying that match-fixing had overtaken doping as the event’s biggest threat: “At some stage over the next two or three years, we will have some other sort of betting scandal in some sport. I just hope it’s not at the Olympics.”<sup>78</sup> In criticising regulation in the Far East and sub-continent he also revealed the establishment of a dedicated intelligence unit to target betting syndicates through monitoring suspicious betting patterns and sharing intelligence at the 2012 Games. The IOC has also recently signed a MoU with Betfair for the Olympics.<sup>79</sup>

The next most powerful SGB in the world is FIFA. They are implementing a number of policies and spending vast amounts of money looking into the future in this area. Specifically to address the high risk of referees being corrupted by match-fixers, FIFA are now promising tighter monitoring of referees’ assignments by forcing organisers of exhibition matches/friendlies to submit referees’ names for approval two months before the game is to be played.<sup>80</sup> One may wonder why FIFA has not controlled this from the outset: very much a case of locking the stable door after the horse has bolted.

Throughout this article, it is evident how crucial strategic partnerships between various stakeholders in the integrity of sport are to the success of fighting match-fixing. Indeed, Secretary General of Interpol, Ronald K. Noble, has said that law enforcement has to be equally as flexible through co-operation at the regional and global levels—not only to facilitate the exchange of expertise and intelligence on suspects and *modus operandi* but to carry out joint operations when possible.<sup>81</sup> One such regional event is another in summer 2012, the UEFA European Football Championship finals in Poland and Ukraine, for which Interpol will be deploying one of its Major Event Support Teams.<sup>82</sup>

<sup>69</sup> “Tennis authorities keeping a close eye on potential match-fixing”, Kevin Mitchell, Guardian online, September 10, 2010.

<sup>70</sup> “FIFA pledges to protect match-fixing witnesses”, Graham Dunbar, *Bloomberg Businessweek*, January 10, 2012.

<sup>71</sup> FIFPro Black Book Eastern Europe, Conclusions, February 2012.

<sup>72</sup> CAS 2009/A/1920 *FK Pobeda, Aleksandar Zabrcanec, Nikolce Zdraveski v UEFA*.

<sup>73</sup> “IOC targets match-fixers”, David Bond, BBC Sport, March 1, 2011.

<sup>74</sup> “IOC considers three options for tackling illegal betting”, *World Sports Law Report*, Volume 9(3), March 2011.

<sup>75</sup> “Sport: A right to bet?”, *SportBusiness International magazine*, No. 166, April 2011.

<sup>76</sup> “Gambling: EU online gambling consultation: issues for sport”, Andrew Danson, *World Sports Law Report*, Volume 9(4), April 2011.

<sup>77</sup> “Sport: A right to bet?”, *SportBusiness International magazine*, No. 166, April 2011.

<sup>78</sup> “London 2012: Olympics betting event fixers targeted”, BBC News online, January 1, 2012.

<sup>79</sup> “London 2012: IOC and Betfair work to stamp out corruption at Olympics”, Owen Gibson, Guardian online, January 12, 2012.

<sup>80</sup> “FIFA pledges match-fixing fight”, ESPN.com, March 3, 2011.

<sup>81</sup> *Speech from Interpol’s Global Conference on Asian Organized Crime*, Singapore, January 23, 2008.

<sup>82</sup> “Uefa and Interpol: tackling football-related crime ahead of Euro 2012”, Brian Sims, info4security.com, January 23, 2012.

FIFA too recognises this with Eaton saying, “It’s absolutely possible to stop [match-fixing], provided we can have the integrated co-operative mechanisms that involve a combination of police, prosecutors and international bodies willing to combine resources and skills”,<sup>83</sup> and it has just pledged £17.5 million to a ground-breaking 10-year crack-down on match-fixing and illegal betting working alongside Interpol. The money will help create a FIFA Anti-Corruption Training Wing within the Interpol Global Complex in Singapore (due to become operational in early 2014). Singapore is considered a good place strategically to base operations to combat the threat due to Interpol’s presence, with its new Integrity in Sport Unit also being based there, and FIFA believing that a number of illegal betting operations operate from the country.<sup>84</sup> The money will also be used to educate players, referees and officials. Ronald K. Noble said, “By funding a long-term corruption prevention training programme to be designed and implemented by Interpol ... FIFA has taken a significant step towards ensuring the integrity of football worldwide.”

## Final words

This article has looked at all aspects of match-fixing in an attempt to highlight and question why it is given far less column inches and coverage than other threats to the integrity of sport, particularly doping, when it is in my opinion the biggest threat of the 21st century. The perception of a problem of match-fixing can be as serious a threat as the actual problem itself, so both are important to tackle.<sup>85</sup> Furthermore, no longer should those convicted of doping offences be vilified more than convicted participants in match-fixing, as CAS reasons succinctly: “[match-fixing] touches at the very essence of the principle of loyalty, integrity and sportsmanship.”<sup>86</sup> The increasing presence of criminals across the sporting spectrum should be a concern for all stakeholders and provide additional impetus to the continuing need for concerted action on a global scale, principally given that organised crime never loses money in illegal gambling operations: one way or another they make a profit. Ronald K. Noble highlighted the gravity of the increasing criminal presence perfectly: “organised criminals frequently engage in loan-sharking and use intimidation and violence to collect debts, forcing their desperate, indebted victims into drug smuggling and their family members into prostitution”.<sup>87</sup> If that does not make you sit up and take notice then nothing will.

<sup>83</sup> “Gold Cup match-fixing allegations highlight global problem”, Grant Wahl, SI.com, December 8, 2011.

<sup>84</sup> “Fifa unveils anti-match-fixing plan”, BBC News online, May 9, 2011.

<sup>85</sup> “Examination of threats to integrity of sports”, Section 4.3, Oxford Research A/S, April 2010.

<sup>86</sup> CAS 2009/A/1920 *FK Pobeda, Aleksandar Zabrcanec, Nikolce Zdraveski v UEFA*.

<sup>87</sup> “FIFA’s historic contribution to INTERPOL in fight against match-fixing”, FIFA.com, May 9, 2011.