

## Case 34 – Match-Fixing

### Key words

*Match Fixing; Life Ban; Betting Rules; Agent;*

### Summary

A disciplinary hearing relating to charges made against Player B and his agent, Agent N for alleged breaches of the World Professional Billiards & Snooker Association's betting rules (WPBSA). Sport Resolutions were invited to convene an Independent Disciplinary Panel in accordance with the rules and regulations of the WPBSA. Player B and Agent N both admitted to two charges of (i) Intentionally giving the impression to others that they were agreeing to act in breach of the Betting Rules, and (ii) Failing to disclose promptly to the WPBSA full details of an approach or invitation to act in breach of the Betting Rules. Other more serious charges were dropped by the WPBSA shortly before the hearing. The Disciplinary Panel imposed a sanction on the Player B of six months suspension from the sport and a financial penalty. Agent N received a life time ban from the sport.

### Background Facts

Player B travelled with Agent N to a business meeting overseas in which he was caught on video camera appearing to discuss the fixing of matches in return for financial reward. The meeting was in fact set up by a national newspaper for the purposes of exposing the potential for corruption in the sport and for securing an exclusive story. On his return to the UK the next day Player B was telephoned by a national newspaper to inform him that the story would feature on the front page of its Sunday edition.

## **Reasoning and Decision of the Tribunal**

Player B argued that he had been misled by Agent N and believed that he was participating in a meeting to help develop new sponsorship opportunities for the sport. He was informed by Agent N minutes before the meeting that the subject of match fixing may come up. His intention was to play along with the discussion if it arose, to avoid confrontation and to end the meeting as soon as possible. He claimed that he would never fix, and had no intention at that meeting of fixing any match or part of a match for reward.

Agent N argued that he had engaged in discussions about match fixing, without having the intention or influence to act on his words, in order to pursue legitimate business interests for the benefit of the sport, safe in the knowledge that the Player B was honest and would never fix a match. He was playing along with and humouring a go-between in order to gain access to what he believed were potential investors in the sport. Moreover, he had been set up and entrapped by journalists as part of an elaborate undercover sting.

The Disciplinary Panel ruled that Player B was put in a highly invidious position by Agent N who was entirely responsible for his presence at the meeting in question. Player B should not therefore receive any serious sanction for his response to the situation he found himself in. Player B was, however, judged to have acted foolishly in not reporting the incident because he did not at the time know that the businessmen were under-cover journalists. The Panel ruled that the failure to report the incident was serious enough to warrant a short suspension from the sport of six months and a substantial financial penalty.

The Disciplinary Panel ruled that Agent N had been aware of the proposal to fix matches for a considerable period of time and that instead of reporting the matter to the WPBSA he had continued engagement with the businessman and persuaded a materially ignorant Player B to accompany him to attend a business meeting at which he knew the subject of match fixing would be raised. Despite it being made clear to Agent N that the subject of match fixing had to be discussed with Player B, Agent N still said nothing until minutes before the meeting. At the meeting Agent N continued to represent himself as able and willing to participate in, and to procure, the fixing of matches. Thereafter, he neither reported the events which

had occurred to the WPBSA nor encouraged or advised Player B to do so. The Panel found that his motivation in doing so was one of financial self-interest. In acting the way he did, Agent N abused the trust shown in him by Player B and abused his position as director of the WPBSA. The Panel ruled that Agent N be banned for life as a member and director of the sport.

### **Learning points**

- Where an athlete or player is subject to an approach to participate in match-fixing, such an approach should be reported to their NGB without delay in accordance with the applicable rules, to avoid the risk of disciplinary action.
- This case identifies the potential for a player or athlete's career to be put at risk by the actions and/or influence of an agent. It also recognises the consequences and onerous obligations for individuals who are seen as acting in the best interests of others (such as agents and directors of NGBs).
- When considering the imposition of financial sanctions, the financial circumstances of the individual who is subject to the charge may be of relevance.