Match Fixing, Spot Fixing and Primary actor Gambling: The role of the Law

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Overview

• Introduction
• Primary Actor Gambling
• Spot Fixing
• Match Fixing
• Possible solutions
introduction

• Nature of the risk
• All sports are vulnerable
• Why fight competition corruption?
• Role of CAS and other sport dispute resolution bodies
Betting on your Sport

- Athlete Betting “Gateway” to match fixing
- Unique ability to manipulate outcomes
- Financial interest vs. best efforts
- Insider information
Betting on your Sport

CAS and Athlete Betting in Tennis

• *Di Mauro. v. ATP Tour Inc.* (CAS 2007/A/1427)
• *Federico Luzzi*
• *Montcourt v. ATP* (CAS 2008/A/1630)
Betting on your Sport

• CAS less willing to show deference
• Connection to match fixing

“Betting on one’s own team gives rise to the ultimate conflict of interest”

• The Dowd Report
Spot Fixing

- Manipulate specific aspects of the game
- Difficult to detect
- Less severe?
- “Slippery slope”
Spot Fixing

Cricket Scandal

- *Salman Butt v. ICC* (CAS 2011/A/2364)
- *Mohammad Asif v. ICC* (CAS 2011/A/2362)
- Overlap with criminal sanctions
Match Fixing

Tennis

- Daniel Kollerer
- David Savic
- Sergei Krotiuk
Match Fixing

Football

- Many scandals, few CAS cases
- Fenerbahçe SK and Beşiktaş JK
- FC Metalist
Match Fixing

Football

- Oleg Oriekhov v. UEFA (CAS 2010/A/2172)
Match Fixing And spot fixing

Conclusion:
- Deference and deterrence
- Role of CAS
Responding to Corruption: Integrity Units

• Tennis Integrity Unit
  – The Davydenko affair
  – UTAP Code
  – Role of the Anti-Corruption Hearing Officer

• Football
  – UEFA
  – FIFA
Responding to Corruption: Integrity Units

Keys to success:
- Uniformity
- Cooperation
- Reporting requirements
  - Ekaterina Bychkova
  - Oleg Oriekhov
- Whistleblower protection
Conclusion: Possible solutions

- Cooperation with governments
- Global anti-corruption body modeled on WADA?
- 2013 Berlin Declaration
- Connection to doping
- Cooperation with gambling companies?