

Match Fixing: A Potential Threat to the Integrity of the Sport

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Abstract: Nowadays match-fixing in sports represents a complex global problem. The main purpose of this paper is to analyse how match-fixing is considered as a regulatory problem. It also highlights the lack of compliance controls in place to prevent match-fixing at a national level.

Design/methodology/approach – This research collects and synthesizes (cross-national) materials on match-fixing and sports betting from policies, news reports, and academic works.

Findings. Match-fixing is usually related to: criminal groups and illegal sports betting activities but sometimes it also addresses vulnerable people and sporting organizations' lack of governance.

Keywords: Match-fixing, integrity of sport, betting activity, illegal betting, referee behaviour, repeated match-fixing, criminal liability.

Introduction

As famous Sky bet slogan on betting operators said: “It matters more when there is money on it”. Sport and betting always exist as light and shadow next to each other, and where there is gambling, frequently there is cheating (Sumner, 2013).¹

Match-fixing has been one of the toughest tasks that sports governing bodies faced ever in their daily activities, involving many actors such as players, coaches, referees and club officials.

Some scientific scholars believe, that the match-fixing is perceived to be a challenge to the very nature of sport because it artificially eliminates the basic integrity and uncertainty of sporting competitions as to results.²

There are vulnerable persons, leagues and countries and even types of sports that often are caught by the criminal syndicates at any level of sports.

Football itself is one of the most followed and entertaining type of sports, thanks to the broadcasting companies services a millions of fans enjoy their time watching their favourite club`s match live on TV. In addition, football players do their part to make the football matches more entertaining and competitive on and off the pitch. Players tend give their maximum during the training sessions, and match days during an official match following the instructions of a coach, putting their bodies on the line to seal the expected result for the club. However, they are human being at the end of the day, and sometimes make mistakes unintentionally and concede silly goals at the last minutes of the match. Despite being professional athletes, established players, some individuals in the squad do make mistakes; poor clearance of the ball, mistimed tackle or a reckless challenge by the defenders can cost a club a precious 3 points. In the midst of a heart-pounding, adrenaline-filled moment, we, of course, as fans believe that the sudden mistake is unintentional

¹Tak, Minhyeok & Sam, Michael & Jackson, Steve. (2018). The problems and causes of match-fixing: are legal sports betting regimes to blame?. Journal of Criminological Research, Policy and Practice. 4. 10.1108/JCRPP-01-2018-0006. available online at: https://www.researchgate.net/publication/323794354_The_problems_and_causes_of_match-fixing_are_legal_sports_betting_regimes_to_blame(last visited November 19 2021)

² Pascal BONIFACE, STUDY Sports betting and corruption How to preserve the integrity of sport available online at: Microsoft Word - 2012 - IRIS - Etude Paris sportifs et corruption - ENG.docx (glms-sport.org)(last visited November 19 2021)

and every player on the pitch wants to win the game at all costs.³ Nevertheless, there might be a question mark still hanging over whether those mistakes were unintentional or deliberate. It seems like mission impossible to investigate and prove that the mistakes not related or have any connection to match fixing issues.

What is match fixing? According to Anti – Match Fixing Policy of the Gymnastics Australia, there have been some definitions provided as follows:

“Match Fixing means the manipulation of an outcome or contingency by Athletes, Teams, Athlete Support Persons, referees, officials, venue staff, and other Relevant Persons, and includes but is not limited to:

- a. The deliberate fixing of the result of a contest, Event or Competition, or of an occurrence or incident within the contest, Event or Competition, or of points spread;
- b. Deliberate underperformance (tanking);
- c. Withdrawal;
- d. An official's deliberate misapplication of the rules of the contest, Event or Competition;
- e. Improper interference with the Competition, Event, competition floor or area or equipment; and
- f. Abuse of Insider Information to support a bet placed by any of the above or placed by a gambler who has recruited such people to manipulate an outcome or strategy.”⁴

But there is also an other definition brought by Bowls New Zealand Board regulations, and it states that the “match-fixing is the illegal manipulation of the result of a sports match, or elements of a match, such as a specific throw-in, penalty-kick, corner or yellow card.”⁵ Therefore, we believe that these two approaches are complementary and that understanding both types of approaches will give us a better understanding of match fixing.

Recent studies indicate that football has been under constant attack from match manipulation, interested parties always try to target vulnerable people who have close ties to football clubs.⁶ Before we go through the topics on who could be targeted as vulnerable person we should also state what the main aim behind match fixing is? It is obvious an easy financial gain always attracts the parties who find it tempting to participate in the manipulation process. For instance, a player who represents a lower league football club in the third tier of any championship might experience struggles in getting his wages in time due to financial difficulties his club faces, he of course could consider it an easiest possible way to overcome his financial distress. Not only are the lower league players often involved in match fixing episodes, but also veteran former players can also be seen taking part in this process, as they have not much to lose and there is so much at stake that they can't turn it down if the offer arrived in.

On July 23, 2015, the Disciplinary Committee of the Estonian Football Association (EFA) sanctioned Estonian footballer Aleksandr Dubõkin for match rigging occurrences that took place over a number of years. Later, in 2016, the chairman of the FIFA Disciplinary Committee decided to prolong the player's four-year suspension from all football-related activities in line with FIFA Disciplinary Code articles 78 par. 1(c) and

³Haberfeld M.R., Abbott J. (2013) Introduction: Match Fixing as a Modality of Sports Related Crimes (SRC). In: Haberkfeld M., Sheehan D. (eds) Match-Fixing in International Sports. Springer, Cham. available online at: https://doi.org/10.1007/978-3-319-02582-7_1 (last visited November 19 2021)

⁴Gymnastics Australia, ANTI – MATCH FIXING POLICY, available online at: Microsoft Word - Anti-Match-fixing policy (gymnastics.org.au) (last visited November 19 2021)

⁵Bowls New Zealand Board regulations, Updated: September 2019, available online at: Regulations-Policies-August-2019-Final-002-1.pdf (bowlsnewzealand.co.nz) (last visited November 18 2021)

⁶Haberfeld M.R., Abbott J. (2013) Introduction: Match Fixing as a Modality of Sports Related Crimes (SRC). In: Haberkfeld M., Sheehan D. (eds) Match-Fixing in International Sports. Springer, Cham. available online at: https://doi.org/10.1007/978-3-319-02582-7_1 (last visited November 19 2021)

136ff.⁷ While taking into account Dubõkin's age at the time 34 and when he was found guilty as a participant in match fixing incidents, he qualifies as a veteran player who was at the end of his playing career.⁸

Another example that is related to veteran players is Croatian player Mario Cizmek case. According to the study called the Black Book Eastern Europe, which was carried out by the players' union FIFPro, that "there is a clear link between non-payment and match fixing". "A player who has to wait for his money has a greater chance of being approached to manipulate a match. What's more, he is vulnerable."⁹

In order to support its argument and facts the FIFPro stated that a 36-year-old professional player, Mario Cizmek, was found guilty of manipulating the game. He was later sentenced to 10 months in prison for match manipulation in his homeland Croatia.

The player himself admitted his participation in the match fixing incidents and he was quoted as saying: "It is hard to describe how I felt when I intentionally missed the ball for the first time, as if I was spitting on my entire career," Cizmek. "But when you are drowning, you try to clutch at straws in the end." It is obvious, he found it difficult to get rid of those bad habits; at the end, he had to face the consequences.¹⁰

Not only the veteran players are a potential risk to the integrity of sport, but also the match officials play their huge part in this long lasting process. Referees can easily manipulate and influence the outcome of a sports match using different dirty techniques. They have a power to dictate the flow of the game by their decisions on the pitch. Clear example is German referee Robert Hoyzer who had a short career in German football leagues. In early 2005, the uncovering of a €2 million match rigging scandal involving second division referee Robert Hoyzer cast a shadow over German football.¹¹ He aided a criminal network, who was guided by Croatian national Ante Sapina who had a link to betting syndicates. Mr Hoyzer committed to rig at least tens of football matches. And one of the notable cases was in the DFB Cup first round match between Hamburger SV ("HSV") and SC Paderborn 07. Referee Hoyzer delivered positive results for his partner Sapina, has shown a red card to Hamburger SV ("HSV") player and deliberately pointed to the penalty spot twice in favour of SC Paderborn 07, it was clear before the match, that the Hamburger SV was considered as favourites in that match.¹² He was famous by inventing penalties on the pitch during football matches. Hoyzer and Sapina were sentenced to 25 and 35 months in jail for their participation in match manipulation episodes.¹³

Match fixing scandals do also occur in other sports, and basketball is not immune from that threat. Ex NBA referee, Tim Donaghy was in the centre match fixing scenes, providing criminal groups and illicit gamblers inside knowledge regarding the health conditions, fitness levels of particular players and the inclinations of referees who were appointed as match officials. He also was accused of placing bets on games he officiated

⁷ FIFA extends match manipulation sanction against Estonian player, available online at: FIFA extends match manipulation sanction against Estonian player, (last visited November 19 2021)

⁸ Transfermarkt, Aleksandr Dubokin's details, available online at Aleksandr Dubokin - Player profile 2021 | Transfermarkt (last visited November 19 2021)

⁹ The Dallas morning news, Soccer report: Western European nations dominate latest list of richest football clubs, february 14 2012, available online at: Soccer report: Western European nations dominate latest list of richest football clubs (dallasnews.com) (last visited November 23 2021)

¹⁰ Ibid.,

¹¹ Frenger, M., Emrich, E., & Pitsch, W. (2019). Corruption in Olympic Sports: Prevalence Estimations of Match Fixing Among German Squad Athletes. SAGE Open. available online at: <https://doi.org/10.1177/2158244019865361> (last visited November 25 2021)

¹² Christian Keidel, A guide to Germany's new criminal law against betting fraud and match-fixing in sports, 14 september 2017, available online at: A guide to Germany's new criminal law against betting fraud and match-fixing in sports - LawInSport, (last visited November 25 2021)

¹³ Match-fixing in sport A mapping of criminal law provisions in EU 27, march 2012 available online at: Microsoft Word - Sports_fraud_study_final_version (europa.eu) (last visited November 25 2021)

as a referee.¹⁴ He served thirteen months in federal jail once admitting to taking cash from an expert gambler in exchange for information on NBA operations.¹⁵

According to Hill (2013); see also Boeri & Severgnini, 2013, match fixing can be divided into two types:

1. For betting purposes (sports exogenous, financial motive) or “gambling match fixing” and
2. Match fixing to gain a competitive advantage (sports endogenous, ideal motive).¹⁶

The first one is mainly aimed at material gains, where the second type of fixing is directed to immaterial results such as sporting results, which also at a later stage could turn into economic benefits.

In 2014, some European betting operator had to pay out the prize money on the result of a football game in the Republic of Belarus that never happened that day. On 3rd February 2014 sports results internet sources revealed that in a local championship match between FC Slutsk vs Shakhter Soligorsk, Slutsk scored twice in the second half and beat the match favourites Shakhter in Belarussian football league.¹⁷ It came much of a surprise that Shakhter being regularly participants of UEFA Champions League and Europa League lost the match with a score 2-1. During the long investigations, it was announced that the match between above-mentioned clubs never took place that day.¹⁸ It was even informed by both clubs in their official websites that the final score of that match was 2-1. Local authorities in Belarus found themselves under much pressure, and international media reports demanded them to take strict measures to investigate this incident, but Shakhter claimed that their website had been hacked, and the attacker was suspected to be a former data gathering company employee.¹⁹

Top betting organizations aim to keep their reputations as clean as possible by operating under license and paying taxes on schedule. The integrity of the sport is always under threat from illegal betting operations that take place all around the world. What is illegal betting? Yet, there is no widely accepted definition of illicit betting; however, certain international reports and official papers provide a definition of “illegal betting”.

The Convention on the Manipulation of Sports Competitions (The Macolin Convention) that was adopted by the Council of Europe includes a definition that says: “Any sports betting activity whose type or operator is not allowed under the applicable law of the jurisdiction where the consumer is located”.

According to The Task Force, the definition of illegal betting leads to three categories of betting operators:

- White market – Companies licensed to operate in the jurisdiction where their customers are located (legal betting operators).
- Grey market – Companies licensed in some jurisdictions but which take bets from consumers in jurisdictions where they are not licensed.

¹⁴Ex-NBA Referee Tim Donaghy Gets 15 Months in Gambling Case, available online at: Ex-NBA Referee Tim Donaghy Gets 15 Months in Gambling Case (abajournal.com) (last visited November 25 2021)

¹⁵ Ex-NBA ref Tim Donaghy: “Organized crime will always have a hand in sports”, available online at: Ex-NBA ref Tim Donaghy: 'Organized crime will always have a hand in sports' | NBA | The Guardian (last visited November 25 2021)

¹⁶Frenger, M., Emrich, E., & Pitsch, W. (2019). Corruption in Olympic Sports: Prevalence Estimations of Match Fixing Among German Squad Athletes. SAGE Open. available online at: <https://doi.org/10.1177/2158244019865361> (last visited November 25 2021)

¹⁷ Resource Guide on Good Practices in the Investigation of Match-Fixing, available online at: V1602591-RESOURCE_GUIDE_ON_GOOD_PRACTICES_IN_THE_INVESTIGATION_OF_MATCH-FIXING.pdf (unodc.org) (last visited November 25 2021)

¹⁸ 10 of the ugliest match-fixing scandals in football history, available online at: 10 of the ugliest match-fixing scandals in football history | Four Two (last visited November 25 2021)

¹⁹Holden, John, Ghosts in the Machine: How Corrupters Manipulate Games that Never Happened (December 13, 2018). 22 Gaming Law Review 630 (2018), available online at: <https://ssrn.com/abstract=3314984> (last visited November 25 2021)

- Black market – Operators who have no licence from any jurisdiction (illegal betting operators).²⁰

There is a slight difference between Grey market and Black market operators, as operators in Grey market claim they never act illegally as they possess licence from different jurisdictions to run the business. However, their competitors state that when Grey market operators offer their services to customers in jurisdictions where they have not granted licence yet, then they are in a position where they offer illegal betting services.

Recent studies and newspapers can reveal that the actors commit match fixing repeatedly if timely prevention measures are not in place. Some match fixing incidents occurred in the Slovak tennis sport, and a number of Slovak tennis players have been banned for several years after being caught in match fixing by the International Tennis Integrity Agency (ITIA). Dagmara Bakova of Slovakia, who achieved the highest WTA singles rating of 1,117 in 2021, was heavily penalized last December. In 2017, she was engaged in five cases of match manipulation.²¹ The lack of proper legal mechanisms to combat the match fixing has paved the way for such a long series of incidents to continue in Slovakia.

Due to the existence of loopholes in legislation of many countries, the fight against match fixing is currently ineffective.[23-26] Delay in the criminalization of match fixing offenses under Uzbekistan's national laws and Criminal Code sets the environment for match fixing to flourish in the country's professional sports leagues. Match manipulation scenarios may be seen rather frequently in both individual and team sports tournaments. For instance a referee V.Serazitdinov who officiates Uzbekistan Super League football matches has been banned for his participation in match fixing incident that occurred during the match between FC Sogdianavs FC Turon, he intentionally made a wrong decision by awarding a penalty to the hosts when a ball hit the back of Turon player.²² Later Viktor Serazitdinov's performance at the Uzbekistan Football Association Referees Committee meeting was considered unsatisfactory and removed from the refereeing activity for an indefinite period.²³

In 2018, Serbian football fans had to witness one of the “scandalous penalty” decisions ever happened on the football pitch, local referee SrdjanObradovic pointed to penalty spot after seeing **Radnicki Nis defender failed to clear the ball in the penalty box, he did not hesitate to award the penalty in favour of Spartak Subotica. According to Marca, “Referee SrdjanObradovic was sentenced to 15 months in prison on Thursday, plus a ten year suspension from the profession for abuse of authority as he favoured Spartak Subotica in their Serbian SuperLiga game against Radnicki Nis back in 2018.”**²⁴

A fact that the issues of strict criminal liability for the misbehaviour of officials of sports competitions is not fully regulated by national legislation such incidents are likely to occur again in the future. Criminal Code and national legislation still lack these mandatory strict provisions to combat match fixing in Uzbekistan sports leagues.

²⁰ Good practices in addressing illegal betting good practices in addressing illegal betting a handbook for horse racing and other sports to uphold integrity, available online at: Good-practices-in-addressing-illegal-betting_FINAL (1).pdf (last visited November 25 2021)

²¹ Slovak tennis players banned for match fixing, April 23 2021, available online at: Slovak tennis players banned from the sport for match fixing - spectator.sme.sk, (last visited November 25 2021)

²²“So'g'diyona” – “Turon” bahsiniboshqarganSerazitdinovhakamlikdanchetlatildi, available online at: “So'g'diyona” – “Turon” bahsiniboshqarganSerazitdinovhakamlikdanchetlatildi / CHAMPIONAT.asia(last visited November 26 2021)

²³“So'g'diyona” – “Turon” uchrashuvi bosh hakamigachorako'rildi, March 15 2021, available online at: Tezkorxabar. “So'g'diyona” - “Turon” uchrashuvi bosh hakami Viktor Serazitdinovhakamlikdanchetlatildi (sports.uz) (last visited November 26 2021)

²⁴Marca, Referee sentenced to 15 months in prison for awarding this scandalous penalty, 1 april 2021, available online at: Referee sentenced to 15 months in prison for awarding this scandalous penalty | Marca (last visited November 26 2021)

Conclusion

In conclusion, several conclusions were drawn, summarizing all the above information.

First, Illegal betting facilitates money laundering and transnational organised crime, to prevent and fight against those issues governments and regulators from around the world should work together to create a unified framework that helps to implement foreign practice to solve difficult situations related to match manipulation;

Second, governments should establish national sporting integrity units or officers to ensure a co-ordinated and dedicated capacity;

Third, adopt specific legislation against match fixing;

Forth, adopt legislation banning sports athletes from betting on sports in which they participate and from betting on any sport with non-approved operators;

Fifth, design anti match fixing education programs for players, coaches, and other sport participants;

Sixth, in order to support efficient law enforcement, it is necessary to monitor and investigate irregular and suspicious betting activity.

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