

RESTRICTED

**ENVIRONMENTAL REVIEW
OF INTEGRITY
IN
PROFESSIONAL TENNIS**

**Ben Gunn CBE QPM MA(Cantab) CCIM
Jeff Rees QPM BSc**

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EXECUTIVE SUMMARY

1. This Environmental Review has examined the threats to the integrity of professional tennis and makes recommendations to address them. It has been completed in conjunction with a separate Regulatory Review which seeks to harmonise the various Rules and Codes of Conduct for international tennis into one uniform Anti-Corruption Programme. We strongly support that initiative.
2. In assessing the threats to the integrity of professional tennis and recommending action to address them, we have been conscious that any recommendations should be proportionate to the threats. We have not sought to cast a straight-jacket over the sport which is enjoyed by millions around the world and supports a wide range of commercial, entertainment and betting interests. We also recognise the efforts that the Professional Tennis Authorities have made to date in their determination to identify and deal with integrity issues affecting their sport.
3. We are confident of our principal assessment that professional tennis is not institutionally or systematically corrupt. There are strong intelligence indications, however, that some players are vulnerable to corrupt approaches and there are people outside tennis who seek to corrupt those within the sport.
4. We have examined some 73 matches over the past 5 years involving suspected betting patterns. We have further examined 45 of those matches and there are specific concerns about each match from a betting perspective which would warrant further review. Patterns of suspected betting activity have been noted on twenty-seven accounts in two different countries and there are emerging concerns about some players which would warrant further attention. Bearing in mind these matches only relate to Betfair account holders, it is reasonable to assume that other suspect betting is taking place using other international legal and illegal betting markets. So there is no room for complacency. All the indications are that a co-ordinated and focused Anti-Corruption Programme with an adequately resourced Integrity Unit is needed to address the integrity concerns.
5. That said, we have found no evidence of any 'Mafia' involvement in corrupting the integrity of tennis. We do not doubt that criminal elements may be involved in seeking to subvert or corrupt some players/officials and that may even involve organised criminal gangs. However, to elevate that suspicion to a claim of 'Mafia' involvement is, in our view, a distortion of the facts and is positively damaging to the sport of tennis and the industry that surrounds it.
6. We assess that there are 5 principal threats to the integrity of professional tennis:
 - (i) corrupt practice by players and others in respect of betting;
 - (ii) breaches of the Rules and Regulations/Codes of Conduct for tennis (eg 'tanking'/not giving best efforts);
 - (iii) accreditation abuse and violation of credentials;
 - (iv) misuse of inside information for corrupt betting purposes;
 - (v) illegal or abusive behaviour towards players.
7. We deal with each of those threats in detail. We judge that cheating at tennis for corrupt betting purposes is the most serious threat and goes to the core of the integrity of the sport. However, although the evidence currently available to prove the precise extent of that threat is limited, as mentioned above, we have examined, more closely, intelligence reports on 45 suspect matches over the past 5 years. The initial assessment of those matches, supported by other intelligence, indicates that a number of account holders are successfully laying higher ranked players to lose/backing lesser ranked players to win. The betting patterns give a strong

indication that those account holders are in receipt of 'inside information', which has facilitated successful betting coups both on 'in-play' as well as 'match' betting. Because of the sensitive nature of these issues, the Report does not go into detail on those matches but we have shared further confidential information on them with the Professional Tennis Authorities. In view of the circumstances, we consider there is merit in reviewing those matches in an effort to identify whether the initial suspicions raised did indeed affect the integrity of Professional Tennis, whether there may have been other tennis reasons for the outcome of such matches and, importantly, to identify any intelligence leads for future reference. The scale of the allegedly suspicious matches indicates there is no room for complacency.

8. We deal with the various gradations of 'tanking' and urge the tennis authorities to be vigilant and to continue to deal with such behaviour vigorously as a breach of the Codes of Conduct whenever it can be proved that 'best efforts' have not been given by a player.
9. We have examined the accreditation procedures at three tournaments and noted discrepancies. Unauthorised access to players either through the accreditation process or unnecessary entry to the players locker room (men) is a major source of gaining 'inside information' and can facilitate the misuse of such information for corrupt betting purposes, either with or without the players knowledge. We define 'inside information', who are insiders, and what constitutes misuse of such information.
10. We also deal with illegal or abusive behaviour towards players by coaches and other related persons. We acknowledge that this threat can be viewed more as a welfare issue, principally a threat to women players rather than men. However, the fact that it was raised by several consultees is a cause for concern and needs to be carefully monitored by the authorities.
11. We recommend action to address those threats as follows:
We strongly recommend:
 - (i) agreement by the International Tennis Authorities on a uniform Anti-Corruption Programme;
 - (ii) introduction of a Regulatory Strategy;
 - (iii) creation of an Integrity Unit;
 - (iv) preparation of:
 - a. an Intelligence Strategy;
 - b. an Investigation Strategy;
 - c. a User Requirement for a computerised database.
12. We have liaised with the authors of the Regulatory Review in respect of (i) above and we give advice and guidance on the resources, costs and activities which will be necessary for each of the strong recommendations at (ii)-(iv) above.
13. In addition, we make 11 other recommendations which we consider are important to encourage a more focused anti-corruption culture for professional tennis and will help to create an environment in which threats to integrity can more readily be identified and addressed.
14. We have also considered the relationship between professional tennis and betting organisations, including the possibility of sponsorship deals. We make no recommendations on these issues but offer some thoughts to assist consideration by the professional authorities thereon, including the potential opportunity for raising

income to fund the cost of new integrity measures by either negotiating 'a right to bet' provision with betting organisations or by selling sporting rights owned by the various tennis authorities.

15. We judge that the threats to the integrity of professional tennis identified in this Review are real and cannot be taken lightly. The recognition of this situation by the professional tennis authorities and their determination to address the concerns is both prudent and timely. The recommendations of this Review, underpinned by an agreement to introduce a uniform Anti-Corruption Programme, will help to maintain and enhance the integrity of a global sport enjoyed by millions.

SECTION 1 – INTRODUCTION

(i) Background to the Review

- 1.1 Integrity in sport is crucial to its success and to the enjoyment of participants, spectators and other interested stakeholders.
- 1.2 Today, sports like professional tennis are a global activity providing entertainment and enjoyment to a worldwide audience. Many sports enjoy the support of major sponsorship deals whilst acting as the focal point for a wide range of commercial activity, including equipment manufacturers, the broader entertainment world and a multi-billion dollar betting industry.
- 1.3 Down the ages, sportsmen and women have been tempted to cheat to gain an advantage over fellow competitors. However, betting on sport, including professional tennis is now a mainstream leisure activity in many parts of the world and cheating by sportsmen and women and others can lead to corrupt betting practices.
- 1.4 In the past decade, the integrity of some sports has taken severe knocks (eg cricket, football and horseracing). Whilst allegations of corruption against horseracing focused on Great Britain, the scandals in cricket (alleged throwing of matches or deliberate underperforming by players in parts of a match) and in football (suspect transfer deals) each had an international flavour.
- 1.5 The sports affected commissioned reviews into the integrity issues surrounding the allegations against cricket, horseracing and football^{1,2,3}. The recommendations of those reviews dealt specifically with the threats to the integrity of each sport and proposed action to address the problems.
- 1.6 The importance of dealing with the threats to the integrity of sport was commented upon following the reviews into cricket and horseracing.
- 1.7 In 2001, the International Cricket Council wrote of Lord Condon’s report:

“The report convinces us that however much we may regret the past and in some cases the difficulties of proving past corruptions, it is upon the present and the future we must concentrate and that every practical measure must be taken to break the links between cricketers and unlawful gambling and return to a game where every player gives of his best.”

- 1.8 In 2003, the Rt Hon Richard Caborn MP, the then Minister for Sport in the UK Government said:

“The Government takes very seriously the importance of ensuring horseracing is run to the highest standards of integrity; and that the law provides effective safeguards to ensure that betting on it is conducted fairly and that there is no unfair access to information The action taken already to root out malpractice or corruption within the sport has my full support.”

¹ International Cricket Review by Lord Condon (2001)

² Joint BHB/Jockey Club Review (2003)

³ Review of Football Transfers by Lord Stevens (2006)

- 1.9 In December 2007, commenting on the Anti-Corruption Programme for the forthcoming Australian Open Tennis Tournament, Steve Wood, the CEO of Tennis Australia said:

".....This is an interim protection measure for the Australian Open while globally our sport completes a comprehensive and independent analysis of the overall threat to the integrity of tennis"

- 1.10 In April 2007 the Sports Rights Owners Coalition, of which the ITF, the LTA, Federation Francaise de Tennis, Tennis Australia and Wimbledon, are all members, commented in its response to the Department for Culture, Media and Sport Select Committee Inquiry into the European Commission White Paper on Sport:

"..... The primary responsibility for the organisation and governance of sport lies within the national and international sporting associations Ensuring the integrity of our sports is a major cross-border endeavour in which we are already investing heavily and, in many cases, co-operate effectively with some legitimate betting operators. However, a great deal more needs to be done to prevent, rather than react to, a major betting scandal or scandals. Critically, regulators have a role in promoting the frameworks that will establish responsibility for critical and effective integrity measures involving all relevant parties with a fair distribution of the costs incurred in maintaining an effective system for the protection of sporting integrity."

- 1.11 In recent years, the international professional tennis authorities have been aware of a growing concern about the integrity of professional tennis. Allegations of players 'tanking matches'⁴ by not giving their 'best efforts' or, more seriously, 'throwing matches' to facilitate corrupt betting practices, have circulated within the tennis world and media attention internationally has alerted public opinion to concerns about the integrity of the sport. The various Tennis Authorities have taken action under their existing Regulation/Codes whenever evidence has been available to prove a breach of the rules but they have been hampered by the difficulties in obtaining such evidence. The recommendations in this report are designed to improve both the intelligence and evidence gathering procedures to facilitate such action.
- 1.12 The worldwide publicity given to a tennis match in Sopot, Poland, on 2.8.07 between Nikolay Davydenko and Martin Vassallo Arguello (the 'Sopot Match'), following the voiding of all betting on the match by Betfair focused even greater attention on the integrity of professional tennis.
- 1.13 As with other sports, monitoring and enhancing the integrity of professional tennis is not just an issue for the Regulators. It is the responsibility of everyone who takes part in it and is a stakeholder in the sport, as well as the commercial and betting industries linked with it.
- 1.14 The international professional tennis authorities have publicly stated that the integrity of their sport is a principal priority and have commissioned this review to identify the threats to the integrity of professional tennis and recommend action to address the problems. It is important to note that this Environmental Review of Integrity is intended to address the global threats to professional tennis. The British personnel carrying out this review have experience in international sports regulation and operating in different jurisdictions. Due cognisance has been given to the

⁴ See Section 2(iii)

international aspects of professional tennis and every effort has been made to reflect the various views on integrity from the different national perspectives.

- 1.15 The Terms of Reference for this environmental review are show in Appendix A.
- 1.16 In assessing the threats to professional tennis and recommending action to address them, we are conscious that any recommendations should be proportionate to the level of the threats but robust enough to be effective.
- 1.17 It is not the purpose of this review to drop a 'straight-jacket' over the sport and industry of professional tennis. Rather, our efforts have concentrated on identifying the threats to the integrity of tennis and recommending a proportionate response to address the issues.
- 1.18 We have completed the Environmental Review, as requested by the professional tennis authorities in 10 weeks. We are confident we have identified the nature of the principal threats. Necessarily, in that time, the empirical research to quantify the precise extent of each threat is limited but we have interviewed 95 stakeholders in the sport from a variety of interests and taken every opportunity to examine statistics, documents and other materials relevant to our Terms of Reference (see Appendix B).
- 1.19 In assessing the threats and proposing remedial action, we have also drawn on our experience in similar work internationally in cricket, as well as the sport of horseracing in Great Britain.

(ii) **The Governance and Regulation of Professional Tennis**

- 1.20 Professional Tennis is a truly global sporting activity. The International Tennis Federation (ITF) is the governing body of the game of tennis and determines 'The Rules of Tennis'.
- 1.21 The Regulation of international professional tennis is overseen by the following bodies:
- The Association of Tennis Professionals (ATP);
 - The Women's Tennis Association (WTA);
 - The International Tennis Federation (ITF);
 - The Grand Slam Committee (GSC) comprising the President of the ITF and the Chairman of the four official International Championships of Australia, France, Great Britain and the United States (also known, individually and collectively, as the Grand Slams) .
- 1.22 The Association of Tennis Professionals is responsible for arranging and regulating 'Tour' and 'Challenger' Events as follows:
- 'Tour' – 63 events in 30 countries;
 - 'Challenger'- 164 events in various countries.
- 1.23 The Women's Tennis Association arranges and regulates 58 events within the 'Sony Ericsson WTA Tour' in 35 countries.
- 1.24 The International Tennis Federation arranges and regulates:

- 400 Men's 'Futures' events in 60 countries;
 - 300 Women's 'Circuit' events in 60 countries;
 - The ITF Team Championships for Men (The Davis Cup);
 - The ITF Team Championships for Women (The Federation Cup);
 - The Olympic Tennis Event.
- 1.25 The Grand Slam Committee is responsible for the general management, direction, financial control, government and regulation of the four Grand Slam Competitions.
- 1.26 Total prize money at the various tournaments varies according to the status of the event but it ranges between circa \$20 million for a Grand Slam event down to \$145,000 for a Tier IV Challenger event and to \$10,000 for Futures events.
- (iii) **The Regulatory Review**
- 1.27 The various International Tennis Regulatory Bodies (para 1.21 above) have their own sets of Regulations and Codes of Conduct. Although there are common themes and similarities between the various regulations, there are differences in content and emphasis, specifically in some of the rules dealing with compliance, enforcement and penalties.
- 1.28 Co-existent with this Environmental Review, a Regulatory Review is undertaking a comprehensive examination of the various Regulations and Codes of Conduct. Jamie Singer, a UK Solicitor with 'Onside Law' and Stephen D Busey, a US Attorney at Law with Smith, Hulsey and Busey are carrying out that review as outside counsel, in conjunction with Mark Young (ATP), David Shoemaker (WTA Tour) and William Babcock (GSC/ITF).
- 1.29 We strongly support this initiative and have liaised with Jamie Singer in connection with these matters. There are necessarily some overlaps between the Regulatory and Environmental Reviews and, where relevant, we comment on those issues in Sections 2 and 3 *ibid*.
- 1.30 Experience in other international sports has indicated that when addressing integrity issues, uniformity of rules and decision-making, particularly when dealing with compliance and enforcement, is a goal worth striving for, although the difficulties caused by various national preferences are not underestimated.
- 1.31 We support the harmonisation of the various Regulations and Codes of Conduct for professional tennis internationally being drawn up by the Regulatory Review and we strongly recommend that the Anti-Corruption Programme is agreed by the Professional Tennis Authorities. **(Recommendation 1)** In making that recommendation we are mindful of the excellent work that has gone into producing the 'Tennis Anti-Doping Programme'. This is a model of co-operation between the various international tennis bodies and provides a template for similar harmonisation on wider integrity issues. Drug abuse in any sport is a threat to integrity not least because sports men and women who use drugs are vulnerable to extortion and blackmail. We have examined the 'Tennis Anti-Doping Programme' and, as that 'nettle has already been firmly grasped' by the international tennis authorities, we do not intend to comment further upon it in this Review.

SECTION 2 – TERMS OF REFERENCE 1

(i) The Nature of the Threats to the Integrity of Professional Tennis Worldwide

- 2.1 Effective regulation and protecting the integrity of professional tennis require a clear understanding of the nature and range of the threat(s) to the sport.
- 2.2 The comprehensive consultation programme undertaken by this Review, together with the documents, statistics and materials studied, have demonstrated that there is a broad consensus that the integrity of professional tennis is under threat. The Professional Tennis Authorities have recognised those concerns and the commissioning of this Environmental Review of Integrity illustrates their determination to clarify the nature of the threats and seek advice on how to address them more effectively.
- 2.3 From the evidence we have gathered, we are confident of our principal assessment that professional tennis is not institutionally or systematically corrupt. However, there are strong indications that a few players are vulnerable to corrupt approaches and there are people outside tennis who seek to corrupt those within the sport. (See Paragraph 2.10 et seq.)
- 2.4 That said, we have found no evidence of 'Russian or Italian Mafia' involvement in corrupting the integrity of tennis. This allegation appears to have arisen from media speculation and has 'developed in the telling'. We assess this remark has been exaggerated in the media and by others to the extent that it has gained a life of its own; it has gained a credence that is unworthy and wholly unsubstantiated on the available evidence.
- 2.5 We do not doubt that criminal elements may be involved in seeking to subvert or corrupt some players or players' support staff; that may even involve organised criminal gangs but to elevate that suspicion to a claim of 'Mafia' involvement is, in our view, a distortion of the facts and is positively damaging to the sport.
- 2.6 We use the term 'strong indications' in respect of possible corruption because worldwide disciplinary cases for corrupt action brought under the Codes of Conduct over the past five years are limited, although recently 5 players have been punished by the ATP and GSC for betting on tennis. Criminal charges internationally for such activity are nil over the same period.
- 2.7 We have liaised with the Professional Tennis Authorities concerning these matters and we are grateful for their assistance in detailing their previous action on disciplinary cases.
- 2.8 In this context, it is important to note that during the consultation phase of this review, we made it abundantly clear to all interviewees that we were not involved in any investigative processes concerning either breaches of the rules or corrupt/illegal activities. This approach encouraged openness and we were impressed by the frankness of many to whom we spoke.
- 2.9 We have liaised with those personnel who are investigating current allegations of corrupt activity against certain players and their associates in order to include their intelligence/evidential findings so far within our risk assessment process. However, we emphasise that none of those current enquiries has yet culminated in any disciplinary or criminal charges and, therefore, our consideration of such matters is

without prejudice to the outcome of those investigations or to the integrity of any of the individuals involved.

- 2.10 We have examined some 73 matches which have been identified as having suspect betting patterns over the past five years and leading up to the 'Sopot Match' on 2.8.07. We have examined more closely 45 of those matches as a result of specific enquiries arising out of the 'Sopot Match' and have identified specific concerns from a betting perspective which would warrant further review. The initial assessment of those matches, supported by other intelligence, indicates that a number of account holders are successfully laying higher ranked players to lose/backing lesser ranked players to win. The betting patterns give a strong indication that those account holders are in receipt of 'inside information', which has facilitated successful betting coups both on 'in-play' as well as 'match' betting. Because of the sensitive nature of these issues, the Report does not go into detail on those matches but we have shared further confidential information on them with the Professional Tennis Authorities. In view of the circumstances, we consider there is merit in reviewing those matches in an effort to identify whether the initial suspicions raised did indeed affect the integrity of Professional Tennis, whether there may have been other tennis reasons for the outcome of such matches and, importantly, to identify any intelligence leads for future reference. The scale of the allegedly suspicious matches indicates there is no room for complacency.
- 2.11 It is emphasised that the suspicions have been aroused by activity on Betfair Accounts after analysis by Betfair's own integrity team and by betting experts from the British Horseracing Authority. It is reasonable to assume, however, that further suspect betting on those matches may have occurred through other legal and illegal betting markets internationally.
- 2.12 We have also examined further matches which Betfair have identified as having suspect betting patterns since the 'Sopot Match' and, again, we consider there is merit in a further review of those matches for the reasons mentioned in Para 2.10.
- 2.13 Therein lies the problem. Investigation of these issues is lengthy and complex. There are five primary avenues for gathering evidence in such matters, viz
- Betting evidence (both documentary and expert);
 - Evidence from watching the match;
 - Telecommunications data (itemised billing and data from mobile telephones);
 - Evidence from interviews with suspects and witnesses;
 - Expert analytical evidence linking the above.
- 2.14 It can take many months to gather together all the evidential strands and, in tennis, such enquiries are exacerbated by worldwide venues of the matches, players based in different countries and travelling around the world, language difficulties and problems with gathering some evidence (eg telephone data) in different jurisdictions. A snapshot of the range of activities necessary in such an investigation is provided at Appendix D.
- 2.15 Our assessment of the principal threats to the integrity of professional tennis is as follows:
- Corrupt practice by players and others in respect of betting on tennis;
 - Breaches of the Rules and Regulations/Codes of Conduct for tennis (eg 'tanking' – see Section 2);
 - Accreditation abuse and violation of credentials;

- Misuse of 'Inside Information' for corrupt betting purposes;
 - Illegal or abusive behaviour towards players.
- 2.16 In view of the lack of clarity in understanding the nature of the principal threats to the integrity of professional tennis, we recommend that these concerns are clearly set out in a Regulatory Strategy designed to implement the Anti-Corruption Programme (See Section 3). (Recommendation 2)
- 2.17 We now examine each threat in detail.
- (ii) **Corrupt Practice by Players/Officials and Others in respect of Betting on Tennis**
- 2.18 Tennis is vulnerable to corrupt betting practices. This is borne out by the University of Salford Report 'Risks to The Integrity of Sport from Betting Corruption' (February 2008) in which Professor Forrest comments "Tennis meets many of the criteria for a sport at risk of betting related corruption. Contests are one-on-one, so events are easier to fix and the amount available for bribes can be spent on just one individual; pay-offs to fixes can be high because large wagers can be accommodated in a highly liquid market; and betting exchanges provide novel ways of manipulating a match for gain even without necessarily losing it". Tennis comprises a series of discrete actions ranging from competing for individual points to winning sets and matches and then ultimately achieving tournament success. Betting can and does take place at each level or on a combination of levels, either through the wide variety of legal betting agencies around the world or through the illegal betting market which continues to flourish in some countries.
- 2.19 Individual actions can be manipulated by the corrupt without necessarily affecting the eventual outcome of the set or match. For example, a corrupt participant playing against a weaker opponent can deliberately lose a set or a number of games within a set or even generate a minimum number of double faults without seriously jeopardising the outcome of the match. Any of those eventualities can provide an opportunity for a corrupt player or other individual with 'inside information' to cheat at betting (see also Paragraph 3.132 and Appendix G). Unlike tennis, which is principally an individual sport, cricket and other team games are not so easy to corrupt although none is entirely immune from cheating at betting.
- 2.20 During consultation we found that there was a general consensus that the threat to the integrity of tennis from corrupt betting activity was the principal concern. There was a common recognition that players and other persons using 'inside information' (see 2(v)) about the likely outcome of a match or action within a match could gain a corrupt advantage in betting.
- 2.21 There was a majority view, although not a unanimous one, that players should not be allowed to bet/wager on tennis. However, there was a unanimous view that players should never be allowed to bet on themselves to lose. We recognise that there is no substantive threat to integrity from players honestly betting on themselves to win matches but, in common with most other sports, it is the perception of possible irregularities by sportsmen and women betting on their own sport, and particularly on themselves or their own team, as much as the reality that needs to be addressed and so we recommend that the current ban on players wagering/betting in the ITF, Grand Slam, ATP/WTA Codes of Conduct and proposed in the new Anti-Corruption Programme, be maintained. (Recommendation 5)

- 2.22 We also considered whether a similar ban on betting/wagering should apply to players' support team members, tournament officials and other 'related' persons as described in the Grand Slam Rule Book. We noted the USTA zero tolerance policy on participation in aiding or abetting any form of gambling involving USA Open Matches by players, officials, medical personnel and US Open Credential Holders at the 2007 US Open Tournament. The ATP's/WTA's existing code dealing with anti-corruption also addresses these issues, including a provision which requires a player or support personnel to report any suspicious contact or knowledge of corrupt activities. We understand that this reporting obligation will be reinforced in the proposed uniform Anti-Corruption Programme, and we support that proposal.
- 2.23 We experienced, at first hand, the anti-corruption programme introduced by Tennis Australia for the 2008 Australian Open Tournament in Melbourne. In particular, we noted their policy banning gambling or aiding/abetting gambling by any 'relevant person' as described in their anti-corruption programme.
- 2.24 Although there were mixed views expressed on such persons wagering/betting on tennis and about the extent of any such ban during our consultation process, we feel that the risk posed by a wide range of 'insiders' who may misuse 'inside information' for corrupt betting purposes⁵ is such that a ban is necessary to demonstrate and reinforce the preventative strategy necessary to deal with this threat. It is also relevant to abuses of the accreditation process (see Section 2(iv)).
- 2.25 The ban on wagering/betting by players and others is an issue that we have discussed with the British lawyer working on the Regulatory Review. There is a need to agree common terminology on 'relevant'/'related' persons and specifically to identify who may be covered by such description; this is being addressed by the Regulatory Review. Similarly, that review will recommend common terminology for betting/wagering.
- 2.26 In acknowledging the work in progress by the Regulatory Review we recommend that the current ban on betting on tennis by tournament officials and other relevant/related persons should remain. (**Recommendation 6**)
- 2.27 During our consultation phase, we found that the whole subject of betting on tennis was an emotive issue which prompted strong and widely differing views. The interface between tennis, betting and the Betting Organisations is dealt with in Section 3(vi) but the general perception by players of the threat posed by persons seeking to subvert tennis players for corrupt betting purposes requires comment here.
- 2.28 A large majority of current and former players we interviewed claimed to 'know of' approaches to players being invited to 'throw matches' presumably for corrupt betting purposes. Only one player admitted being directly approached several years ago. Interestingly, although some players said they would inform the appropriate tennis authorities about any such approach to themselves, there was almost a unanimous view that they would not do so if they knew/suspected another player had been approached. We understand the proposed uniform Anti-Corruption Programme will impose an obligation on players to inform the Tennis Authorities whenever they are aware of suspected corrupt practices.
- 2.29 The reasons given for adopting that attitude were:

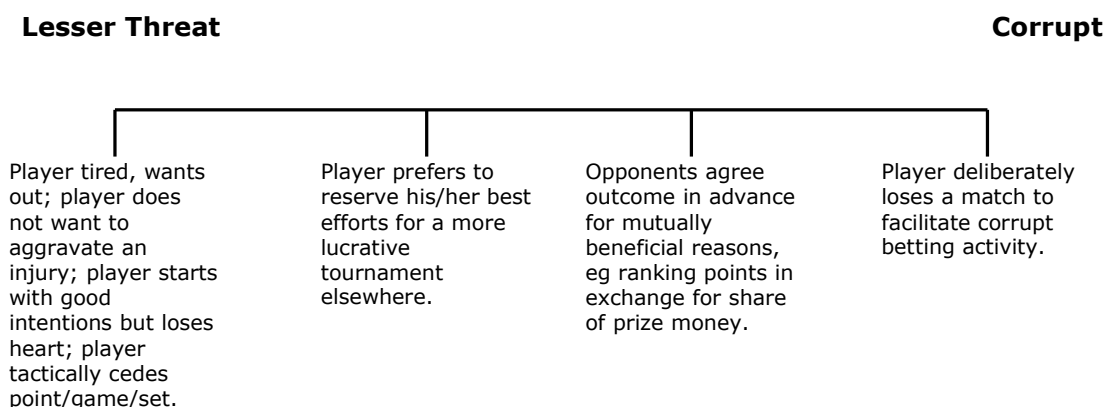
⁵ See Section 2(v)

- concern about their personal safety from would-be corruptors;
 - concern about the confidentiality of any approach made by them to the tennis authorities;
 - a general feeling that informing on other players was a breach of the trust/bond that exists between players.
- 2.30 These are issues which will be dealt with in Section 3(v)(d) under education and awareness procedures, and we support the new provisions on this being proposed in the Anti-Corruption Programme.
- 2.31 One particular concern about personal safety needs specific comment. There is a common view that players are afraid of reprisals/threats of violence to themselves or their families if they report any nefarious approach.
- 2.32 The experience of other sports is that there is no evidence that such a fear is justified. Certainly, we found no evidence of any tennis player or family being threatened following any alleged approach from a would-be corruptor. Indeed, the strong indication from other sports is that corruptors are seeking compliant sportsmen and women to pursue their corrupt activity. If a player says "no" to any approach, the would-be corruptor will move on until he finds a willing participant. Experience has shown that the real danger lies in a player initially complying with a corruptor's demands and subsequently refusing to co-operate. At that stage, the player may well be vulnerable to threats, blackmail or other forms of coercion. As Lord Condon stated "once in, you're in for life". A strong message on these issues needs to be included in an anti-corruption education and awareness programme (see Section 3(v)(d)).
- 2.33 Identifying the category of player who may be vulnerable in respect of possible corrupt approaches is also important. We assess from our enquiries and experience of other sports that the following are vulnerable:
- young players starting out on their tennis careers who are not earning substantial money and yet have to support the cost of coaching, air fares, hotel bills, etc;
 - players who have received substantial loans/financial support from sponsors in their early career stages, particularly when there is a doubt about the probity/motives of the sponsors;
 - players nearing the end of their careers who wish to bolster their dwindling earnings;
 - players who become disillusioned because they realise they do not have sufficient skills/commitment to reach the top.
- These categories do not presume that a top player can never be vulnerable to corruption. Experience in other sports has shown some leading players can be tempted by what they see as easy money; again, once tempted, they are in for life.
- 2.34 These are issues which should also be spelt out in the education and awareness programme (Section 3(v)(d)). They are also relevant to the intelligence gathering and targeting strategy (see Section 3(v)(a)).

(iii) **Breaches of the Rules and Regulations of Professional Tennis which affect the Integrity of the Sport**

- 2.35 All sports have a set of rules which governs how the particular sport should be played. In addition, different sets of regulations and codes of conduct govern the behaviour of players and officials who participate in the sport. As mentioned in Section 1(ii), professional tennis is regulated internationally by four principal bodies.
- 2.36 Each body has regulations dealing with behaviour affecting integrity issues, although terminology and procedures for dealing with such activity may differ.
- 2.37 We found that, in general, the various compliance and enforcement regimes were adequate to deal with other breaches of the rules which had less direct affect on the integrity of tennis.
- 2.38 However, one activity identified as a threat to the integrity of the sport is 'tanking'. This term covers a range of behaviour which, at the lower end, is regarded almost as 'part of the game' and at the higher level is a definite threat to the integrity of tennis.
- 2.39 'Tanking' is a word to approach with caution as it means different things to different people. During the consultation phase we found that players and officials alike used the term to describe different degrees of activity and other stakeholders, including media representatives, were equally imprecise.
- 2.40 Essentially, 'tanking' involves a player not giving 'best efforts' in a match. However, the reasons for doing so are wide and various, ranging from motivational/tactical issues to action motivated by corruption (see Figure 1).

Figure 1



- 2.41 We found a general consensus amongst players and officials that the first category in Figure 1 was "all part of the game" even though all recognised that failing to provide 'best efforts' is a breach of the rules.
- 2.42 We acknowledge that all sportsmen and women have 'off days' and any action to address a problem should be proportionate to the threat and potential consequences. However, spectators, sponsors and other stakeholders invest money into tennis tournaments and expect value for money from players performing in each match.

- 2.43 Where there is no connection with corrupt activity or benefit/gain for a player or associate, the threat to the integrity of tennis from this element of 'tanking' is assessed as low, although officials need to be mindful of the dangers of allowing a culture of lower level 'tanking' taking hold in the sport. Rather worryingly, one view expressed to us in acknowledging that 'tanking' does occur, was that when a player is suspected of not giving "his best efforts", he should at least make it look good!
- 2.44 We were constantly reminded by stakeholders of the need to create a culture of honest endeavour and 'best efforts' by players in all matches. Other sports have experienced 'noble cause rule breaches' which often go under the guise of 'gamesmanship' but can lead to a culture of greed and self interest.
- 2.45 We were told that the skill and guile of players in a fast moving game make it very difficult to identify and even more difficult to prove when a player is not giving 'best efforts'. On court it is the responsibility of the umpire and we are aware of matches where players have been warned and subsequently fined for not giving 'best efforts'.
- 2.46 We make no recommendation in respect of an integrity threat on this category of 'tanking' but urge officials to be alert to such activity and to deal with it as a breach of the rules whenever such behaviour can be proved. With a proliferation of betting on tennis, support staff close to a player who may be aware that the player is not going to give a match 'best efforts', may seek to profit from that knowledge possibly without the player knowing.
- 2.47 Concern was expressed to us about players not giving 'best efforts' in a match because they wanted to play in a more lucrative tournament elsewhere, either within the time-frame of their current engagement or shortly afterwards. Again, where there is no connection with corrupt activity for gain, it is argued by some that this behaviour is a low threat to the integrity of tennis.
- 2.48 We disagree. Sponsors, tournament officials and spectators are being short-changed by such behaviour. We consider that players who agree to take part in a professionally sanctioned tournament and are contractually bound to that event, should not be allowed to sign up for an unsanctioned tennis event which takes place at the same time. In connection with this and other acts of 'tanking', we were also told by medical staff and some players that more attention needed to be paid to players who retired from matches on medical grounds. Although we make no specific recommendation on these issues, we feel they are matters which require close monitoring by the Tennis Authorities to prevent abuse.
- 2.49 A further type of 'tanking' which directly impacts upon the integrity of tennis is where a player agrees to lose a match to a lesser ranked player for the benefit of the winner gaining ranking points. A similar threat used to apply to 'lucky loser' matches but that loophole has been partially closed by making 'lucky loser' qualifiers random choice at Futures and Grand Slam levels. It is not used on the WTA Tour, ATP or Challenger Tours. It was an issue at the Grand Slam level, principally because of the time difference between when the draw was made and the completion of the qualifying competition, with the likelihood that a top ranked player in the last round of qualifying would know whether the player had qualified for the main event, irrespective of whether the final round qualifying match was won or lost.
- 2.50 We consider that players who allow lesser ranked players to win when it has no affect on the ranking of the loser but allows the winner to benefit is a threat to the integrity of tennis and, particularly, the validity of the ranking system.

- 2.51 As in other sports where some form of ranking, grading, handicapping or other form of differentiating between the ability of participants takes place, the ranking system for both men's and women's tennis is complex. For that reason, we are cautious in commenting on the methodology of the ranking systems. However, many consultees have voiced concern about those players who take part in matches over and above the qualifying matches necessary for ranking purposes in the rolling 52 week cumulative system. In this context, we also note that guaranteed payments for players participating in tournaments which do not count for ranking purposes and where such payments are not dependent on a player's progress in the competition, may make the matches less meaningful and create the risk that players are less inclined to give their 'best efforts'.
- 2.52 In essence, we consider those non-qualifying matches are vulnerable to corrupt practice and present a threat to the integrity of tennis. In the time allocated for this review, we have not been able to produce evidence to prove the scale of this threat. However, a large majority of consultees felt that these 'dead matches' ('dead rubbers' or 'soft matches' in other sports) were vulnerable to players 'tanking' and therefore easy prey for corruptors wishing to cheat at betting. That was certainly the case in other sports like cricket, which has removed 'dead rubbers' from all its tournaments. Equally, there is a good case for staging payments to players as they progress through a tournament, rather than paying them a guaranteed sum just to compete.
- 2.53 Amongst many consultees, there was also a strong feeling that 'every match should count'. If a player knew that his/her ranking was in jeopardy if they lost a match, they commented, it would eradicate or greatly reduce the threat to integrity by players not giving 'best efforts'. We agree.
- 2.54 We were minded to recommend that the regulations be changed now to reflect the need for every match to count for ranking purposes (excepting exhibitions). We understand that used to be the case. However, because we have no specific evidence to support the scale of this threat, as an interim measure we recommend that officials examine those matches that players take part in over and above those necessary for achieving ranking points. If that study confirms that such matches are vulnerable to the integrity of tennis, then we recommend that careful consideration should be given to changing the ranking rules to make each match count. **(Recommendation 7)** The process for examining such games will be facilitated by new operational procedures we recommend in Section 3(v)(a)(b).
- 2.55 We recognise that if such a move to make each match count is adopted, it will not be universally popular with some players feeling that their ability to compete is being restricted and with tournament directors being concerned that they may miss out on attracting top players to their tournaments.
- 2.56 However, as mentioned in Section 1, if the threat is substantiated, it is the responsibility of all stakeholders in tennis to ensure the integrity of the sport, even though necessary action to address a threat may disadvantage some people.
- 2.57 At its highest level, deliberately 'tanking' a match in which a player or others knowingly gain money by cheating at betting is corrupt. Those issues are fully dealt with at Section 2(ii) above.

(iv) **Accreditation/Credential Violations**

- 2.58 The access to players, officials and tournaments is a constant source of potential problems for the integrity of tennis, particularly in respect of 'inside information'. The misuse of 'inside information' is a threat to tennis. Section 2(v) deals with this in detail but access and knowledge are essential ingredients of a threat to integrity from 'inside information'.
- 2.59 We acknowledge that the nature of professional tennis worldwide means that a wide variety of people will require or wish access to players; such access may be motivated by a player's physical, medical or sporting needs, by a tournament's promotional requirements or by reason of the family/social contacts of the player.
- 2.60 It is axiomatic that the higher the profile of the player, the greater may be the entourage that surrounds him/her.
- 2.61 We have no wish unnecessarily to curtail the sporting, business or social contacts of players or indeed tournament officials. However, the experience of other sports and the feedback from our consultative process is that controlling access to players and tournaments is a crucial aspect of maintaining integrity in the sport. In essence, the more people who have access to players and, particularly, access to player facilities at tournaments, the easier it is for both the perception and reality of breaches of integrity to occur.
- 2.62 We witnessed the accreditation process for the Australian 'Grand Slam' in Melbourne at first hand. It was extensive even if some consultees felt some aspects were 'over the top' in certain respects.
- 2.63 Some 12,000 persons were accredited to attend the Australian Open. We examined the security and probity checks undertaken by Tennis Australia in their accreditation process. The top players vouched for several individuals who subsequently, following general security checks, were granted accreditation.
- 2.64 We found from our consultation process that the risk the accreditation process can be abused by players is ever present. Even at Grand Slam events, there is a strong suspicion that accreditation is being granted to people who should not be given such credentials in spite of the wide ranging security measures taken in good faith by the tournament organisers, as was the case in Melbourne.
- 2.65 The Grand Slam Rules and the regulations dealing with other tournaments have provisions covering the accreditation of coaches/physios and family/social friends (eg relevant/related persons). However, from our enquiries at Melbourne, Dubai and Bangalore, it is clear that there is considerable variation on the degree of probity/security checks on accredited persons.
- 2.66 At Melbourne, the accreditation procedures for the Grand Slam event were extensive and were supported by an impressive and largely effective security operation, involving private security personnel and Victorian State Police. We recognise that any security system may be vulnerable to corrupt/determined individuals and event organisers are conscious of the need to introduce security arrangements which reasonably deal with the perceived threat. We were told by various consultees of accreditation being "offered/sold" by male players to unauthorised persons for large sums of money at such events. We have no evidence to support that claim but it indicates that the procedures for granting accreditation at the various tournaments merit a review.

- 2.67 In Dubai, a Tier II WTA/ATP Event, the accreditation procedures included prior police and immigration checks. These will not be possible in all countries. The security at the Dubai tournament faced an added problem in that the event was staged at the Dubai Aviation Club, whose members were also allowed access to facilities within the tournament complex for the duration of the championships. However, the security arrangements involved private security personnel, as well as Dubai Police, and no irregularities or security breaches were noted during our visit.
- 2.68 In Bangalore a Tier III WTA Event, the accreditation procedures included the completion of a very detailed 'Player Support Team Credential Form' at the venue prior to receiving the accreditation pass card. That PST Credential Form requested a large amount of information and included a very legalistic and lengthy consent to be signed by each applicant. We discussed the rationale for this form with senior WTA officials and understand that its purpose is to allow criminal and sexual offence background checks to be made by an independent agency, EBI, with a view to deterring and detecting potential abusers to women tennis players.
- 2.69 EBI claimed to be capable of gathering background information and security checks in over 170 countries. Information gained will be used to assess whether to deny or withdraw accreditation to a person to players' facilities and other designated areas at any WTA Tournament. Anyone not agreeing to signing the PST Credential Form is not allowed access to any non-public area of a Sony Ericsson WTA Tour Event.
- 2.70 We understand the data obtained and passed by WTA to EBI is kept in accordance with US Department of Commerce and the EU Directive on Data Protection.
- 2.71 We agree that this initiative is a laudable objective and do not wish the following comments to be seen as negative criticism of this worthwhile effort, rather as offering some thoughts on how it may be improved:
- No-one checked the information we entered on the PST Form;
 - The information sought is extensive and similar effective criminal checks could be made with just passport/ID card details and an address;
 - In spite of the assurances about data protection, there will be concerns about so much information (eg mother's maiden name) being held by an independent agency;
 - We are unsure how such criminal checks will be made 'in over 170 countries' (eg the UK where access to the Criminal Record Bureau is strictly controlled);
 - More information is necessary on how the result of such checks will be handled.
- 2.72 This initiative is very new and it is too early to assess its effectiveness or address any specific problems. There is potential to review the process and adopt it across the international tennis circuit (both men and women) to cater for broader integrity issues under a new Anti-Corruption Programme but we feel that the comments mentioned may help to enhance the effectiveness of the process if any extension of the system is agreed.
- 2.73 In Bangalore, the security environment surrounding the tournament was not as effective as Melbourne or Dubai. We observed that the security officials and police on perimeter and stadium security tended to allow access to anyone exhibiting sufficient authority, whether or not their accreditation pass permitted them access to a particular area. The exception was the players' locker room where an attendant on

the door did studiously check all persons seeking access. That said, no serious problems were noted during our visit.

- 2.74 We accept that financial and resource restrictions at lesser tournaments create problems for accreditation processes. We also acknowledge that different levels of checking/accreditation access may need to apply according to the status of the event but we emphasise that a minimum level of probity/need for access clearance is required for all tournaments.
- 2.75 Currently, in respect of access to players and their facilities at a tournament, we found that various persons may have access, including:
- tournament officials;
 - managers/agents;
 - coaches;
 - physios;
 - former players;
 - media;
 - family/friends.
- 2.76 We question the need for so many people to have accredited access to player facilities. In saying that, we are conscious of the wishes of players to accommodate friends and relatives to see their particular games. However, we are of the view that such issues can be dealt with, as in many other sports, by the provision of complimentary tickets to attend such games, rather than 'full blown' accreditation. We feel that unless there are specific extenuating circumstances, only the player and essential support team members (eg coach/physio) need access to all players areas. A radical reduction of those people entitled to full accreditation will enhance the security environment around all events and improve both the reality and perception of anti-corruption measures. It will also help to reduce the resource costs of such procedures. We recommend a review of accreditation procedures for all Grand Slam, ITF, WTA, ATP Tournaments. (Recommendation 8)
- 2.77 Furthermore, in respect of the inner sanctum - the locker room in both men's and women's tennis, we noted that coaches and physios are allowed access in addition to tournament medical staff to the men's locker room. In some tournaments, we understand other people, including former players, also gain access to their locker room.
- 2.78 In women's locker rooms, no access is granted to anyone but players and essential tour personnel.
- 2.79 We found this contradiction interesting, not just because most coaches are male. Our consultation process indicated that a large majority of consultees felt that the locker room (male and female) should be restricted only to essential personnel.
- 2.80 We recognise that male players, particularly those at the top of their profession, may wish to have their own coaches/physios present in the locker room. Although tournament physios/medical staff are available at the premier tournaments, top male players may wish their own medical staff to attend to their injuries/personal needs for confidentiality and personal treatment reasons. However, we question the need for this, particularly as it does not apply to women players.

- 2.81 At lesser events, the risk of unauthorised persons gaining 'inside information' on a player's fitness/physical condition is increased because access provisions are less stringent.
- 2.82 We contend that only essential personnel should be allowed access to both men's and women's locker rooms. In our experience of other sports, that is the case.
- 2.83 Who such essential personnel are currently varies according to the requirements and wishes of the player and tournament but we feel that only the player and essential tournament personnel (eg physios) should have access to the locker room in both men's and women's tennis. Therefore, we recommend that the minimum category of personnel who should have access to the players' locker room for each event is clarified and included in the regulations for each tennis tournament.
(Recommendation 9)

(v) **Misuse of 'Inside Information' for Corrupt Betting Purposes**

- 2.84 The scourge of all sporting events in respect of integrity issues is the possible misuse of 'inside information' for cheating at betting.
- 2.85 Worldwide, different rules/laws apply to betting on sport and we deal with the relevance of those issues to the integrity of tennis in Section 3(vi).
- 2.86 In this section we deal specifically with the threat posed by persons misusing 'inside information' for the purpose of cheating at betting.
- 2.87 In seeking to address this threat, it is essential to identify:
- what constitutes 'inside information';
 - who may be an 'insider' and
 - when is the misuse of such information wrong.
- 2.88 Other sports, principally horseracing and cricket have grappled with these problems and professional tennis needs to clarify how it deals with such issues.
- 2.89 Access to 'inside information' in tennis is wide and various. As mentioned in Section 2(iv) above, a wide range of people have legitimate access to a player.
- 2.90 Moreover, such persons may also witness activity or become aware of information that may be useful for nefarious betting purposes without the player even being aware of it (viz information gained from unnecessary access to the player's locker room). For example, if a player is seen being treated for an injury, it may give an indication as to his likely performance in a match.
- 2.91 We feel there is a need to define what constitutes 'inside information'. Reflecting a definition used for such matters in horseracing in GB we recommend the following definition of 'inside information': 'Inside information' is information about the likely participation or likely performance of a player in a professional tennis match which is known by the player, coach, physio, other relevant person, tournament official or betting or media representative and is not in the public domain.
(Recommendation 10)
- 2.92 Defining a 'relevant person' is difficult because of the wide and various nature of the officials, family and friends who congregate around tennis players. However, we

recommend that a 'relevant person' should be whoever is defined in or covered by the re-drafted uniform Anti-Corruption Programme. (Recommendation 10)

- 2.93 'Information in the public domain' is defined as 'information which has been published or is a matter of public record or can be readily acquired by an interested member of the public and/or information which has been disclosed according to the rules or regulations governing a particular event. (Recommendation 10)
- 2.94 It is important to clarify whether 'inside information' should be limited to 'matters of fact' or whether it should include 'matters of opinion'. Matters of fact include the physical condition of a player, whereas 'matters of opinion' relate to the mental state/determination of a player, whether or not connected with any specific injury. Both can affect a player's participation or performance and impact upon integrity issues. We recommend that 'inside information' should encompass both 'matters of fact' and 'matters of opinion'. (Recommendation 10)
- 2.95 The misuse of such information in terms of integrity is where the 'insider' knowingly uses the information personally for cheating at betting, or passes it to another knowing or reasonably believing it will be used for the purpose of cheating at betting.
- 2.96 The experience of horseracing in GB is that in addition to agreeing a definition of 'inside information', an important element of addressing the threat is a comprehensive education and awareness programme to inform players and officials of the important aspects of addressing the threat from 'inside information'.
- 2.97 Templates for such an education and awareness programme exist within other sports and can be considered by the professional tennis authorities in creating a training module for tennis on the threat from 'inside information'.
- 2.98 Operational procedures/processes and tactics for identifying and addressing such matters are dealt with in Section 3(v)(a)(b) and Section 3(vi).

(vi) **Illegal or Abusive Behaviour Towards Players**

- 2.99 During our consultation phase, we identified a potential level of threat to the integrity of professional tennis which may be viewed more as a welfare issue, particularly with young women players.
- 2.100 We were told of abusive and even illegal behaviour towards players, principally by coaches, but also parents and others, in respect of mental, emotional, physical, sexual and financial pressure. Although this was more prominent with young female players, young, emerging male players were not immune from such pressures.
- 2.101 The crucial aspect in addressing such issues is a structured awareness and education programme.
- 2.102 We were shown a model for such education and awareness in the PRO-U programme prepared by the WTA principally for women players.
- 2.103 The PRO-U programme, which is IT based and interactive in nature covers a broad range of issues in the Sony Ericsson/WTA Tour, including advice on security, safety, athlete assistance and recovery. We were impressed by the scope and content of the programme.

- 2.104 We fully support the welfare advice and support which the PRO-U programme provides, principally for women players.
- 2.105 We recommend that a separate integrity related module is created, including the assessed threats and recommendations of this report on integrity issues for inclusion in the PRO-U programme for women and the same integrity model is used for male players. (Recommendation 11)
- 2.106 We also heard of good practice within women's tennis where experienced current and former players were used as mentors for younger players starting in the sport. Properly managed, it can be good practice to utilise the experience of senior players for the benefit and learning of younger players and may be something to be considered for male players.
- 2.107 The threat of abuse towards players by coaches is principally a disciplinary/welfare issue for tennis. However, such abuse or even illegal behaviour can develop into a threat to the integrity of tennis, if young players are coerced into 'throwing matches' to facilitate the corrupt behaviour of coaches and others in cheating at betting.
- 2.108 We have no specific evidence on the extent of such behaviour but the fact that it was raised by several consultees is a cause for concern and needs to be carefully monitored by the tennis authorities.
- 2.109 We were surprised to find that there are few accreditation procedures for coaches internationally. We note the initiatives that the ATP/WTA/LTA are taking in this respect and we urge the Tennis Authorities to be alert to bogus coaches who may be a threat to integrity (ie by gaining unauthorised access via the accreditation process).

SECTION 3 – TERM OF REFERENCE 2

(i) Regulatory Action to Address the Threats to Professional Tennis

- 3.1 Having identified the current principal threats to the integrity of tennis which we assess will remain for the foreseeable future, we now address the regulatory action which we feel is necessary to combat those threats.
- 3.2 The higher level of threat which involves corrupt activity by players and others for the purpose of cheating at betting strikes at the very heart of the integrity of the sport.
- 3.3 Although our enquiries have indicated that the higher level of corrupt activity in professional tennis is evidentially unproven, there is no room for complacency. The level of identified suspect matches referred to at Paragraph 2.10 et seq is a matter for concern.
- 3.4 We assess that the publicity given to allegedly corrupt tennis matches in recent months has been a 'two-edged sword'. It is damaging for the reputation of the sport and can dent the confidence of sponsors, other commercial and betting stakeholders and spectators alike.
- 3.5 The experience of other sports has shown that unless corrupt activity or the suspicion of it is tackled 'head-on', sponsors and other stakeholders will be reluctant to invest in the sport. Indeed, in one sport, a major sponsor made it clear that the company was reluctant to continue to support the national team following a corruption scandal and might also seek a return of the money already invested. That risk was underlined by comments made from some of those we interviewed.

- 3.6 The stakes are high. Failure to address and invest resources into anti-corruption measures could prove very damaging to the well-being, economy and reputation of professional tennis.
- 3.7 On the plus side, the media attention given to alleged corrupt activity in tennis has served to alert players to the dangers of the threats to the integrity of the sport. During our consultation process, every player we spoke to was aware of the potential threat to the integrity of the sport, although, as already mentioned in Section 1, there was no common understanding of the precise nature of the threat(s).
- 3.8 In seeking to address the problems, we recommend that regulatory action should be taken as follows:
- agree a uniform Anti-Corruption Programme;
 - agree a Regulatory Strategy;
 - create a regulatory structure – an Integrity Unit;
 - introduce the following regulatory processes and procedures:
 - (a) an intelligence function;
 - (b) an investigative function;
 - (c) an enhanced compliance and enforcement programme;
 - (d) an enhanced education and awareness programme;
 - (e) a media strategy for integrity issues;
 - clarify the interface with betting and betting organisations;
 - clarify the interface with police and other enforcement agencies.

(ii) **A Uniform Anti-Corruption Programme**

- 3.9 The Regulatory Review (mentioned in Section 1) is seeking to harmonise the various Regulations and Codes of Conduct which currently deal with integrity issues in professional tennis. We strongly support that initiative. Experience in other sports has indicated that tackling integrity issues on an international scale is best achieved by having an agreed joint Anti-Corruption Programme with a clear Regulatory Strategy which is understood by officials, players and stakeholders.
- 3.10 We support the efforts to create a unified Anti-Corruption Programme and, as already mentioned in Section 1, we strongly recommend it is agreed by the various Tennis Authorities.

(iii) **A Regulatory Strategy**

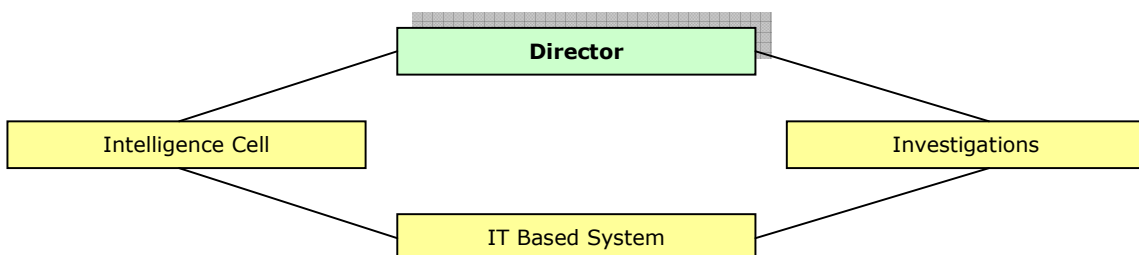
- 3.11 The principal objective of the Anti-Corruption Programme is to maintain and enhance the integrity of professional tennis worldwide by investigating and, where necessary, prosecuting breaches of the regulations. This is essentially a disciplinary process. Where evidence indicates that in breaching the Tennis Regulations and Codes, players and others may have committed criminal offences, the investigation and prosecution of such offences is a matter for the police (see Section 3(vii) and Para 3.168).
- 3.12 Crucial to any Anti-Corruption Programme is an agreed Regulatory Strategy focusing on the twin objectives of 'prevention' (deterrence) and 'detection' (enforcement). The Regulatory Strategy will focus on those twin objectives and be supported by an improved education and awareness programme which identifies the principal threats to professional tennis and the action to address those threats. We therefore strongly recommend a Regulatory Strategy as shown at Appendix C. (Recommendation 2)

(iv) **A Regulatory Structure – An Integrity Unit**

- 3.13 In seeking to address the twin aims of 'prevention' and 'detection' in a new Anti-Corruption Programme, professional tennis needs a better and more co-ordinated regulatory structure to achieve its common purpose.
- 3.14 At present, there is no cohesive structure or co-ordinated method for gathering, assessing, analysing and disseminating information and intelligence within international professional tennis. Investigations seem to be done on an 'ad hoc' basis.
- 3.15 In seeking to combat the threats to integrity, the handling of information/intelligence is crucial. At present, information on suspected or alleged breaches of the Regulations/Codes of Conduct or more serious allegations of corrupt activity tends to be handled separately by the various international bodies. Information also seems to be dealt with in corporate/regional silos with limited co-ordination or sharing amongst the various international bodies.
- 3.16 Intelligence is the 'life blood' of any Anti-Corruption Programme. All intelligence is information but all information is not necessarily intelligence; it needs assessment and analysis before it can become graded intelligence.
- 3.17 The experience of other sports, particularly cricket and horseracing, has demonstrated that the gathering, analysis and dissemination of intelligence with a view to creating patterns of activity and a formalised targeting policy are crucial to successfully combating threats to integrity. Painstaking analysis of many suspect matches, cross-referencing common elements/personnel, may be necessary before a potentially corrupt target (player, players' support staff, related or other person) may be identified. As Professor Forrest notes in the University of Salford Report February 2008, "Forensic statistics would aim to gauge the scale of the problem by uncovering relationships that might be evident from consideration of thousands of contests and their betting markets, even though no individual incident was so exceptional as to justify cancelling all transactions".
- 3.18 We recognise the efforts that have been made by the Tennis Authorities to date but trying to develop and progress single pieces of information/intelligence in an unco-ordinated, case by case basis is less likely to result in successful disciplinary (or criminal) charges than a co-ordinated evidence gathering process which an Integrity Unit can provide.
- 3.19 We strongly recommend that professional tennis needs an Integrity Unit. **(Recommendation 3)** A unit which can co-ordinate and process the intelligence product from around the world, assess and analyse it, formulate patterns of suspicious activity, target potential offenders and, ultimately provide evidence to bring disciplinary charges, is crucial to tackling integrity issues. Such a process will greatly enhance the chances of success in any disciplinary or criminal investigation.
- 3.20 We recognise that the international nature of professional tennis creates challenges for the creation of any Integrity Unit and it is for the tennis authorities ultimately to decide on precisely what sort of Integrity Unit creates a best fit for the needs of professional tennis. Similarly, the location of such a unit needs to be agreed, along with the resource implications. We offer the following comments to assist in making those decisions.

- 3.21 Options for the creation of an Integrity Unit are as follows:
- Create a new stand-alone unit located in one place and staffed/resourced accordingly;
 - Create satellite units, located, say, in Europe, USA, Australia;
 - 'Buy into' another sports integrity unit (eg cricket, horseracing) already functioning to create a joint sports unit.
- 3.22 In assessing the pros and cons of the various options and considering the comments made by consultees, we assess that the favoured option is for a new stand alone unit, staffed and resourced according to need (see Figures 2-4).
- 3.23 A stand-alone unit will create a unified and consistent product both in managing intelligence and progressing investigations. It will achieve more effective targeting by having an overall international focus and "seeing the bigger picture". It will also avoid the potential for factional interests which may occur with satellite units. It will also be less costly. A joint sports unit may be possible but it runs the risk of loss of focus, together with the need to compete for resource time and effort with the other sport(s) co-located with it.
- 3.24 We have also considered the location of such a unit and the broad consensus from consultees is London for the following reasons:
- London is the global centre for internet betting (Betfair is located at Hammersmith);
 - ATP/WTA have offices in Baron's Court, London;
 - Internet betting is the principal medium for suspected corrupt betting on the legal markets;
 - ITF has offices near London (Roehampton);
 - Gambling legislation in Great Britain creates a specific offence of cheating at betting;
 - London is a convenient hub for world travel.
- 3.25 Against those advantages, rental prices in London are expensive, and we note that both Tours are also located in Florida.
- 3.26 The new Integrity Unit should comprise two functional elements – an 'Intelligence Section' and an 'Investigation Section', supported by an IT based system, viz:

Figure 2



- 3.27 The processes and procedures of the 'Intelligence' and 'Investigations' functions and the essential elements of an IT based system are described in Section 3(v)(a)(b). It is important that the two elements of intelligence and investigation work closely together and feed off each other under the joint regulatory strategy of prevention and detection.
- 3.28 The cost of a basic Integrity Unit will vary according to Capital and Revenue calculations.

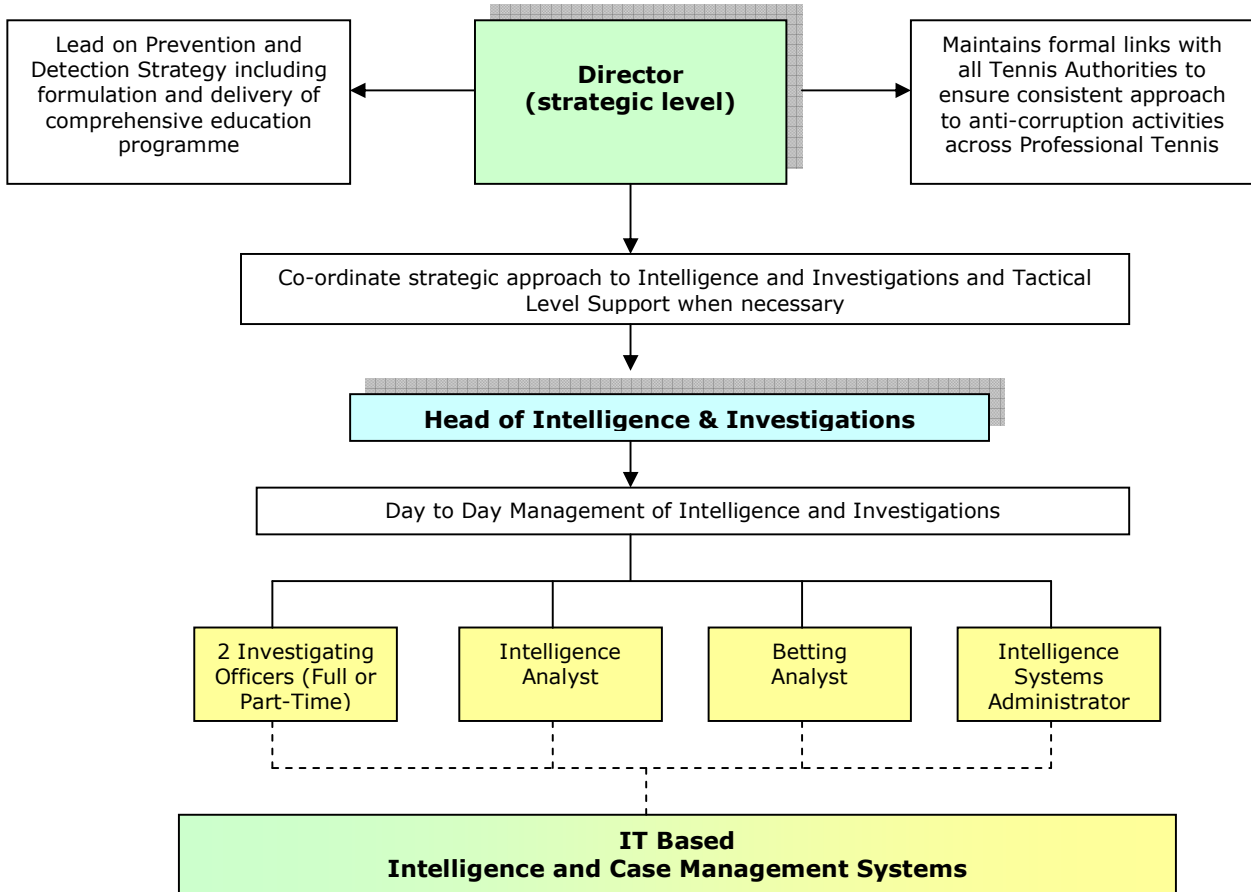
- 3.29 We make no comment on the capital cost of siting the unit in London, although co-locating it, say, within the current ITF premises at Roehampton or the ATP/WTA premises at Baron's Court, would limit the initial capital set-up costs.
- 3.30 An estimated cost of resourcing the unit is more problematical. This is because we are unsure on the evidence currently available, precisely what size of unit may be necessary, proportionately, to address the perceived threats. We are, however, very conscious of the suspect betting activity on the matches described in Section 2.10 et seq, as well as the potential for betting related corruption on professional tennis to increase.
- 3.31 An issue for the new Unit will be the global nature of international tennis with information/betting data being generated over a 24 hour period. Real time analysis and action on betting patterns, for instance, will depend on the office being staffed at the time. However, it is envisaged that most of the information/intelligence and the data connected therewith, will be used to build up an intelligence picture for the creation of targeted operational action against a player or other person. This will entail painstaking analysis for subsequent investigation and evidence gathering and, therefore, loss of real time monitoring/activity is not a major problem. We do not envisage the Unit being staffed on a 24 hour basis.
- 3.32 In respect of historical data, we are also cognisant of the problems that the professional tennis authorities have faced to date to gather and collate, in any co-ordinated sense, suspected betting patterns concerning matches or players. However, again taking cognisance of the potential range and volume of the suspect activities identified at Section 2.10 et seq and the significant investigative work that will be necessary to address such issues, we feel that an Integrity Unit must be 'fit for purpose' and staffed accordingly.
- 3.33 We are conscious that our recommendation for the structure and resourcing of the Integrity Unit should be proportionate to the perceived threats to professional tennis now and in the future.
- 3.34 Two feasible options for resourcing the Integrity Unit, if that recommendation is agreed, are included in this report for consideration by the International Tennis Authorities.
- 3.35 Option 1 takes the view that whilst professional tennis is not institutionally or systematically corrupt, it is potentially at a crossroads. Although this view recognises that hard evidence to prove the exact level of corrupt activity in tennis is limited, the intelligence available on 45 matches over the past five years, together with the suspicions on 27 account holders, some players, and the additional matches identified by Betfair as having suspect betting patterns since the 'Sopot Match' in August 2007, indicates that there is sufficient cause for concern about the integrity of some players and those outside tennis who seek to corrupt them. Option 1 recognises the broad range of intelligence assessment, analysis, targeting and investigation that will be required to deal with even a few of those suspect matches in order to gain some evidential insight into the precise level of corruption in professional tennis. Option 1 is also cognisant of the need for ongoing monitoring of suspicious betting activity on international tennis and the requirement to prepare targeted plans to investigate future threats to integrity.
- 3.36 Option 1 proposes that an Integrity Unit should be resourced adequately now to cater for both the current and emerging strategic and tactical issues affecting the integrity

of tennis as it becomes an increasingly attractive sport for betting. Experience has shown that the current known intelligence on suspect betting may be greater than initially perceived and only a properly resourced unit will be able to cope with demand if expert analysis and investigation uncovers a greater depth of corruption.

3.37 The creation of an Option 1 Integrity Unit, staffed as at Figure 3, will send a clear message to all in professional tennis and the wider sporting, betting and commercial sectors, that professional tennis is serious about tackling integrity related issues in the sport.

3.38 Crucial to that goal, is the creation of the post of Director, who can provide effective leadership for the sport on integrity issues; someone who can operate at the strategic level, liaising between the various International Tennis Authorities and Grand Slam bodies, as well as formulating, co-ordinating and delivering effective operational and education/awareness strategies in a global sport without getting 'bogged down' on daily tactical issues.

Figure 3
Anti-Corruption Structure for Professional Tennis – Option 1

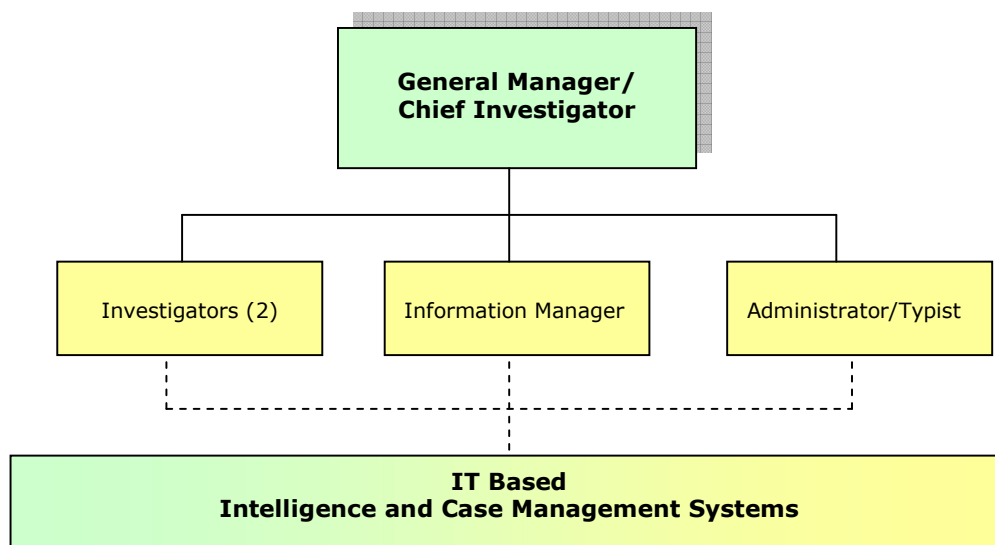


3.39 Job Descriptions for the seven posts shown in Figure 3 (Option 1) are included at Appendix E(i). Each of the personnel in the Integrity Unit under the Director's control will have an important role to play in training the players and other key persons in professional tennis on integrity issues.

3.40 The estimated costs of the recommended staffing levels as follows have been provided to the Professional Tennis Authorities:

- Director;
 - Head of Intelligence and Investigations;
 - Investigating Officer;
 - Intelligence Analyst;
 - Betting Analyst;
 - Intelligence Systems Administrator.
- 3.41 Option 2 takes the view that, unlike International Cricket in 2000 or Horseracing in Great Britain in 2003, professional tennis is not yet in crisis because of corruption threats. The majority of interviewees, including tennis media representatives, believed that only a very small number of players were corrupt and that the overall threat to the sport from betting related corruption was minimal.
- 3.42 Option 2 accepts that details of possibly suspect matches over five years provided by Betfair, coupled with concerns voiced by informed senior figures within the sport, indicate that the time has come for tennis to have an Integrity Unit capable of investigating matches, managing corruption-related intelligence with all that implies, targeting corrupt players and delivering an anti-corruption and education and awareness programme.
- 3.43 Option 2, therefore, suggests that the needs of professional tennis would be best served in the first instance by an Integrity Unit staffed as Figure 4.

Figure 4
Anti-Corruption Structure for Professional Tennis – Option 2



- 3.44 The broad responsibilities of the above post-holders will be evident from the titles but that of Information Manager requires explanation. In essence, the Information Manager in Option 2 would be the focal point for any information coming into the unit from whatever source, linking it with other information held and, generally, with the assistance of other staff as necessary, developing intelligence for use in identifying and targeting possibly corrupt players. The post-holder would also be the first point of contact for the Integrity Team at Betfair when they identified suspicious betting patterns, as discussed in Section 3(vi) Paragraph 3.136 and would have the aptitude necessary to learn to interpret internet betting patterns. (The Betting Analyst is a specialist post requiring in-depth knowledge of betting systems, operations, and odds compilation, and is separate to general intelligence analysis.)

- 3.45 An important duty of the General Manager/Chief Investigator in Option 2 would be that of using mature judgement to ensure all personnel in the unit focused primarily on the current and the relevant, rather than delving into events of years before to little purpose. A second responsibility would be making sure that quick and decisive action was taken once there was clear evidence that a player or relevant person was corrupt.
- 3.46 All members of staff, except the Administrator, should be capable of delivering education and awareness packages although, in practice, these might be delivered through internet learning programmes.
- 3.47 In order for the unit in Option 2 to operate effectively, it would need to be staffed by high quality and suitably experienced staff, able and willing to adapt to different investigative demands and to step into each others' roles as necessary. A well-managed unit, staffed as above, should then be able to act effectively to counter corruption in professional tennis whilst, simultaneously, it would be proportionate to the threat professional tennis currently faces under the view taken by Option 2.
- 3.48 Option 2 does of course recognise that, once it commenced its operations, the unit might possibly unearth a previously unsuspected level of corruption or become overwhelmed by information. If that proved to be the case, the unit could be strengthened with staff possessing whatever skills it required beyond those of the core postholders identified in Figure 4.
- 3.49 Option 2 is also premised upon the view that a danger of comprehensive resourcing represented by Option 1 would be to suggest to the media, sponsors, other stakeholders and spectators, that the problems facing international tennis are more than they really are, thus risking harm to the sport commercially and reputationally. In contrast, Option 2 suggests small incremental increases to staff numbers, if and when required, would be unlikely to exercise comment.
- 3.50 Job Descriptions for the five posts shown in Figure 4 (Option 2) are included at Appendix E(ii).
- 3.51 The estimated costs of the staffing levels at Figure 4 have been provided to the Professional Tennis Authorities:
- General Manager/Chief Investigator;
 - Information Manager;
 - Investigating Officer;
 - Administrator/Typist.
- 3.52 The estimated cost of the hardware for an IT based system, as described in both options, together with necessary intelligence/investigative software, has been provided to the Professional Tennis Authorities.

Accountability for the Integrity Unit

- 3.53 We have also considered the accountability of a new Integrity Unit, both in respect of its strategic and administrative functions, as well as its daily operational requirements. Again, this is problematical because of the current regulatory arrangements of the various international professional tennis authorities.

3.54 (i) *Strategic and Administrative Functions*

There are, in our view, two main options – (a) the creation of a Steering Group comprising representatives from each authority, or (b) the nomination of one authority to be the lead body for each of the Professional Tennis Authorities in respect of the accountability of the Integrity Unit.

(ii) *Operational Function*

This requires one authority or nominated person to whom the Director of the Unit (General Manager/Chief Investigator) can seek high level operational advice/assistance. In practice, this will usually involve advice on 'political/sensitive' issues at the international level.

We make no recommendations on which option is favoured for either function, other than to say on operational issues, there needs to be someone competent and able to give instant operational advice and assistance to the Unit when required.

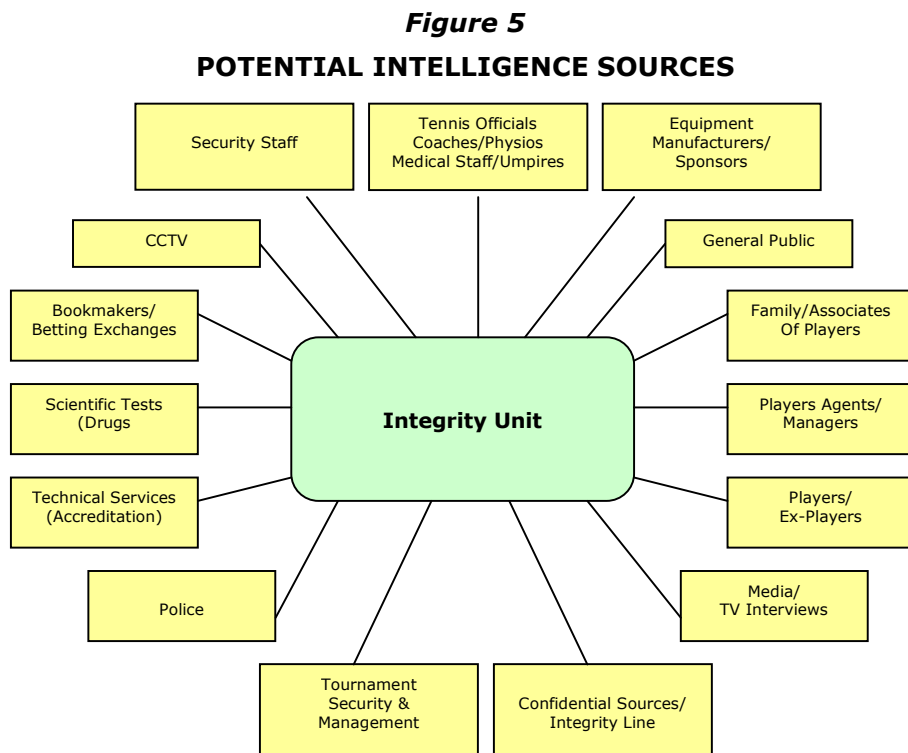
(v) **Regulatory Processes/Procedures**

(a) *The Intelligence Function*

3.55 The handling and management of intelligence is crucial to the success of an integrity unit. Much will depend on the international tennis authorities agreeing to co-operate and create a single integrity unit based in London.

3.56 If that agreement can be reached, then the following structure and processes provide a model for the intelligence function within the unit.

3.57 Information/intelligence comes from a wide variety of sources.



- 3.58 Crucial to the success of the Integrity Unit will be a 'fit for purpose' computerised system. We recommend a 'User Requirement' for such a system should be drawn up by the new Director (Option 1) / General Manager (Option 2) (Recommendation 4) but the minimum constituent elements should include:
- searchable features on names, nicknames, locations, vehicles, telephone numbers, etc;
 - the storage of digital images;
 - an integral destruction/weeding process;
 - electronic grading;
 - remote access with firewall protection;
 - an investigation database for the management of enquiries;
 - archive facilities;
 - a briefing facility;
 - an interface with other databases within professional tennis;
 - a database for confidential sources (strict access controls);
 - evidential disclosure;
- and any other factor identified by the user requirement.
- 3.59 If located in London, the Integrity Unit will need to be registered under the Data Protection Act to retain information for the purposes of crime prevention and associated public policy issues.
- 3.60 Subject to the requirements of the Act, we consider that nominal records should be created on all players/coaches/physios and related persons, and anyone else who reasonably could be a threat to the integrity of tennis.
- 3.61 A nominal record is basic identifying information on a player, coach, physio, etc. However, if a person comes to adverse notice, ie from intelligence, from information on suspect betting activity or for any other suspicious reason, or is the subject of a substantiated disciplinary hearing, then a note of such matters will be made on the person's nominal record. In addition, there should be a record of all known associates who have come to light and may be connected in a similar suspicious vein.
- 3.62 In addition to an intelligence database, an IT based management system for investigations is crucial for properly recording all management and policy decisions and maintaining an archive record of the investigation. Data would then be readily available for future investigations.
- 3.63 An integral destruction/weeding process is needed to ensure compliance with the Data Protection Act if the unit is located in the UK.
- 3.64 All intelligence should protect the source and be properly graded. Remote access with appropriate security controls is another feature of an IT database and would help facilitate international liaison. The source material needs to be protected using the principles and guidelines of storing intelligence.
- 3.65 We recommend that an Intelligence Strategy is drawn up by the new Director/General Manager as part of the Unit's operating procedures (see Recommendation 4).

(b) *The Investigations Function*

- 3.66 Intelligence should not be seen as an end in itself. The purpose of gathering, analysing and disseminating intelligence should be firmly focused on the twin aims of 'prevention' and 'detection'; these should be viewed as two sides of the same coin.
- 3.67 In pursuing a 'prevention strategy' it will be necessary to prosecute diligently all cases brought for breaches of the Regulations/Codes of Conduct of Tennis under the new Anti-Corruption Programme. The experience of other sports is that there is no greater deterrence than the example of those who do wrong being caught and punished.
- 3.68 The effective use of intelligence is a necessity in achieving successful prosecutions, either for disciplinary breaches or, in liaison with police, for criminal offences.
- 3.69 An Integrity Unit must have an investigative ability. The intelligence cell will produce targeted cases which will need investigation. A minimum of two investigators who would staff the investigations arm of the Integrity Unit, with an option of buying in other investigators on an ad hoc basis from other sources (eg other sporting regulators or retired police officers), is required.
- 3.70 It is difficult at this stage to assess the specific investigative requirements of the Integrity Unit. The preferred recommendation under either option would be to recruit two designated investigators to the unit who could be employed full-time. Those investigators ideally should have a police or other enforcement agency background, preferably with a knowledge of Sporting Regulation and betting.
- 3.71 An investigation strategy needs to be drawn up by the Director/General Manager of the Integrity Unit (within the operational procedures at Recommendation 4) that will take account of the international nature of tennis investigations. It would be prudent to identify suitable investigation personnel in Europe, USA and Australia who can assist in such matters.
- 3.72 It is important to note that the investigations undertaken by, or on behalf of, the Integrity Unit are disciplinary cases. The investigations into current suspect tennis matches have blurred the edges between breaches of the Regulations/Codes of Tennis and corrupt activity involving suspected cheating at betting which is a criminal offence in most jurisdictions and a matter for police (see also 3.168).
- 3.73 In Great Britain, the Gambling Act 2005 provides a specific criminal offence of cheating at gambling⁶. Other countries do not have the same legislation and criminal investigations by police would need to be pursued under the national legislation dealing with fraud/conspiracy to defraud.
- 3.74 Experience in the UK has shown that police are loath to become involved in the investigation of 'Sporting Crime' (see also Section 3(vii)). The Gambling Commission in the UK has power to investigate cheating offences but it has made it clear that it expects Sporting Regulators in the UK to have the principal responsibility for dealing with sportsmen and women under the various Sporting Regulations. This attitude may vary in other countries where the police may well be more willing to investigate such offences.

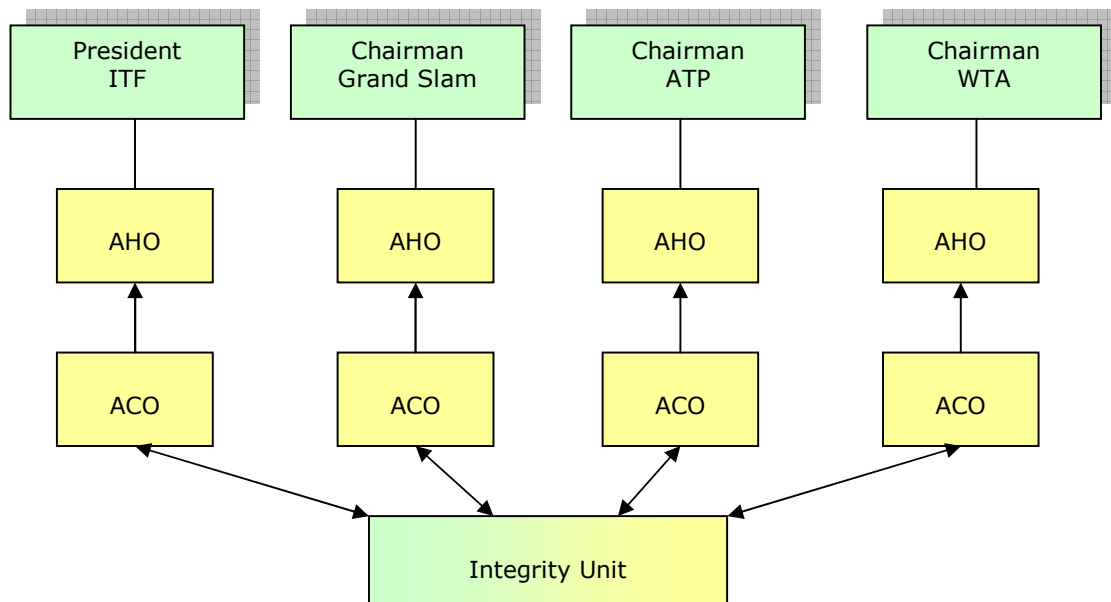
⁶ Gambling Act 2005, Section 42.

- 3.75 The Investigation Strategy for the Integrity Unit will need to consider these issues carefully. Experience in other sports has also demonstrated that the decision to embark upon a disciplinary investigation needs careful consideration. It may be that a full investigation and disciplinary action is not always possible or desirable. Disruption is a valid and proven tactic in investigations, particularly against those outside the sport, who seek to corrupt players. Experience from other sports illustrates that corruptors can be deterred from such behaviour by the knowledge that the authorities are aware of their activities.
- 3.76 The use of 'confidential sources' in both tennis and other sports has proved useful in identifying suspected corrupt activity by sportsmen and women and others.
- 3.77 Great care needs to be taken in the recruitment and management of 'informants' particular in a global sport like professional tennis. Much time and effort can be expended on 'informants/confidential sources', sometimes to little avail.
- 3.78 The Director/General Manager of the Integrity Unit should draw up an effective policy on confidential sources within the Intelligence and Investigation Strategies covering the recruitment, registration, control and handling of such sources.
- 3.79 Akin to the use of 'confidential sources', there should also be a policy drawn up by the Director/General Manager on covert surveillance techniques and within the legal constraints of international jurisdiction the availability of telephone data/financial information. We are aware that these issues present specific difficulties in some national jurisdictions but the Regulatory Review is considering these matters. The experience of other sports is that the availability of such information is crucial to successful disciplinary prosecutions.
- 3.80 Another investigative/intelligence technique is the use of a 'confidential hot line' to pass information on a prospective or current investigation.
- 3.81 We saw the model adopted for the Australian Open in Melbourne which utilised an independent company to manage the 'hot line'. We understand no calls were received during the tournament or, indeed, at earlier tournaments which also utilised a hot-line system.
- 3.82 Confidential 'hot lines' can work. The model used by the British Horseracing Authority which is run in conjunction with 'Crimestoppers' allows anonymous callers to be given a unique reference number. It has produced some significant intelligence since its introduction in October 2007.
- 3.83 The Director/General Manager of the Integrity Unit should consider the use of a confidential 'hot line' to assist the intelligence and investigative functions of the unit.
- 3.84 The Integrity Unit should form the 'cutting edge' of the compliance and enforcement strategy for professional tennis.
- 3.85 We recommend that the Director/General Manager in either Option 1 or 2 examines the assessed needs of the new unit and prepares (i) an intelligence strategy, (ii) an investigation strategy and (iii) a fit for purpose user requirement for an IT database, incorporating the various administrative/operational procedures discussed in Section 3(v) (a)&(b). **(Recommendation 4)**

(c) *Compliance and Enforcement*

- 3.86 The work of the Integrity Unit will be complemented by an effective compliance and enforcement strategy. Players, their support personnel and others must be cognisant with the new regulatory procedures. An effective deterrent/detection strategy within a unified Anti-Corruption Programme, will hopefully create greater awareness of integrity issues and a resultant compliant culture within professional tennis.
- 3.87 However, in professional tennis, as other sports, a minority will seek to break the rules and we assess that the Anti-Corruption Programme, supported by an effective Integrity Unit, will help to identify those people and provide the evidence to charge and convict them.
- 3.88 We have discussed with Jamie Singer, for purposes of the Regulatory Review, the essential ingredients of an enforcement strategy and the primary importance of working to a common set of Regulations/Code of Conduct – the Uniform Anti-Corruption Programme.
- 3.89 We are aware of the differing views on how disciplinary cases affecting integrity should be prosecuted under the proposed new regulatory regime.
- 3.90 The proposal in Draft 1 of the Anti-Corruption Programme is for an Anti-Corruption Officer (ACO) to be responsible for conducting an investigation and that each of the Tennis Authorities, the ATP, the WTA, the ITF and the Grand Slam Committee, should appoint its own ACO. If an investigation results in charges, the proposal in the Anti-Corruption Programme is for the case to be heard by an Anti-Corruption Hearing Officer (ACHO) in Jacksonville, Florida (see Figure 6).

Figure 6
Structure Proposed for Investigation/Hearings
In Regulatory Review

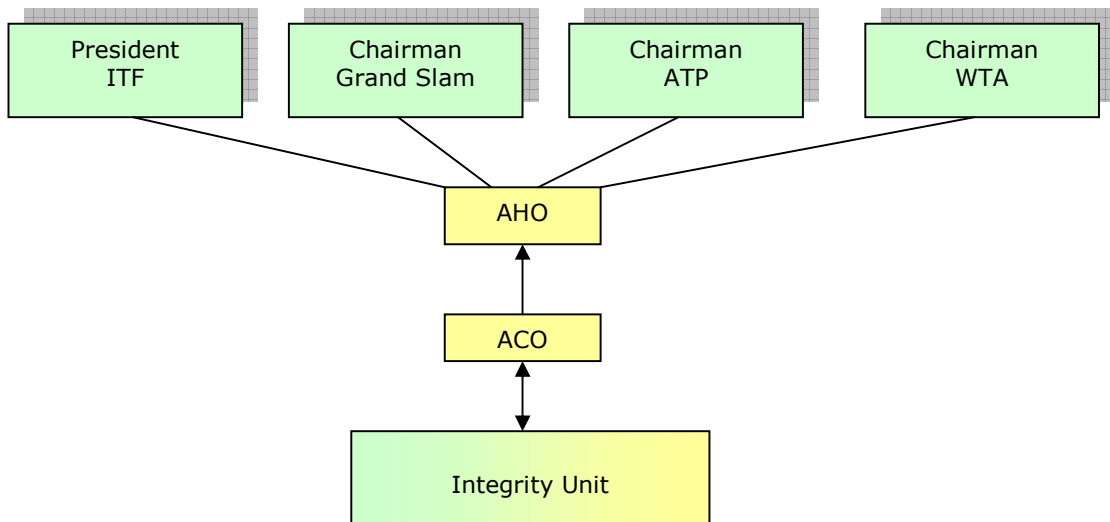


- 3.91 That model can work. However, the experience of another sport using a similar model is that it is cumbersome, resource intensive and a lengthy process.

3.92 An alternative would be to filter each investigation through the Integrity Unit (utilising regional investigators (ACOs) as appropriate). The case would then be referred to a single Hearing Officer Tribunal which would decide on finding/penalty. See Figure 7.

Figure 7

Proposal from Environmental Review for More Streamlined/Cost Effective System



Appeals from each process to the Court of Arbitration for Sport.

3.93 The advantage of that process is that it is more streamlined, less costly, and much quicker. It will also relieve the different authorities of the burden of holding separate disciplinary hearings. We recommend the streamlined common investigation process (via the Integrity Unit) and a single Hearing Tribunal for all disciplinary cases involving integrity issues. We understand that the Regulatory Review may already be heading in that direction and we await the final Draft. **(Recommendation 12)**

3.94 We understand that the Regulatory Review is examining the current powers and penalties for dealing with compliance and enforcement issues in professional tennis.

3.95 On powers, we make one comment. The experience of other sports has revealed the importance of a player, or other person bound by a Sporting Regulation, being obliged to assist with a disciplinary enquiry. We acknowledge the legal principle of not being forced to incriminate oneself but we see a distinction between that principle in respect of criminal offences and a sportsman/woman's obligation reasonably to assist in a disciplinary enquiry. We strongly support the proposal on this issue in the Uniform Anti-Corruption Programme.

3.96 On penalties, what was obviously clear from our consultation is that fining players, particularly those at the top end of the game, had only a limited deterrent effect. There was strong support for a lengthy suspension for any player caught cheating for betting purposes and some felt that a life ban was appropriate for a first offence, if the circumstances merited it.

3.97 We note the proposed penalties in the Anti-Corruption Programme for cheating. We feel that a strong message needs to be given to anyone tempted to cheat. We

recommend and support the existing and proposed lengthy suspensions for a first offence, including if the circumstances merit it, a life ban. (Recommendation 13)

(d) *Education and Awareness*

- 3.98 A crucial aspect of addressing the threats to integrity in professional tennis is an effective education and awareness programme for all players, players' support staff, officials and other relevant persons.
- 3.99 The identification of the nature of those threats (Section 2) and the proposed regulatory action to address the threats (Section 3) should bring greater clarity to the education and awareness process.
- 3.100 During our consultation phase we were constantly reminded of the need for players and all those connected with professional tennis to understand the nature of the threats and the penalties, if caught, as well as the need to act responsibly in enhancing the integrity of the sport.
- 3.101 We examined the education and awareness programmes of the ITF, WTA, ATP and Grand Slams. The intentions are sound but the effectiveness of such processes is less certain.
- 3.102 The younger players entering the sport tend to feel that corruption is not something which directly affects them. They may be aware of the concerns on integrity but many are blind to the consequences for both themselves and the sport.
- 3.103 The 'ATP University' which all players have to attend if they are competing in the ATP circuit, has introduced more awareness on integrity issues, including presentations from independent experts to advise on such matters.
- 3.104 We were impressed with the WTA's PRO-U IT based education and awareness programme. The 'Safety Module' is comprehensive and touched on some integrity issues. However, as stated earlier, we recommend that a specific integrity module is created and included in the PRO-U programme.
- 3.105 We also feel that the same integrity module could be used for all male tennis players.
- 3.106 The essential messages for any integrity module is an education and awareness programme, which must include:
- a clear description of the nature of the threats to integrity;
 - the relevance of such threats to each player/officials/others (taking into account young, middle and top ranking players, those nearing the end of their playing careers, coaches, physios, etc). A strong message must be given that everyone has a role to play in maintaining and enhancing integrity;
 - the message must be clear, concise and impactful (eg video/interactive/supported by contributions from senior players/peer groups/whistleblowing provisions);
 - the programme should be targeted at the most vulnerable persons in the first instance.
- 3.107 These are all issues which will need to be considered by the professional tennis authorities, taking full account of the new harmonised Regulatory Procedures in the Anti-Corruption Programme.

(e) *Media Strategy on Integrity*

3.108 Each of the International Professional Tennis Organisations will have its own requirements for media and marketing purposes.

3.109 However, on integrity issues, the sport would benefit from having a single co-ordinated message which is:

- planned;
- clear;
- consistent;
- targeted;
- both proactive and reactive.

3.110 Those elements will be more easily achieved with harmonised Regulations and the agreed Anti-Corruption Programme.

3.111 The priority should be a clear statement of intent about where professional tennis stands on integrity issues. Discrete themes on:

- the threats to integrity;
- the action to address the threats;
- education and awareness for all concerned;
- compliance and enforcement;

should be carefully articulated. These, again, will be facilitated by the introduction of a new Anti-Corruption Programme and creation of an Integrity Unit. It is crucial that the new Unit's Director/General Manager is consulted on the media strategy.

3.112 Ideally, the media handling of integrity issues should be channelled through one source. Even with a consistent and co-ordinated media strategy, there is a danger that the message may get distorted if passed through different channels. We commented in Section 2(i) on the damage caused to the sport by the 'Mafia' speculation. An agreed and consistent media strategy on integrity will minimise the risk of any unguarded comment being made.

3.113 The strategy will need to incorporate both proactive and reactive elements. Other sports have found that positive, front-foot activity on integrity issues is prudent but an ability to react quickly and confidently to 'bad news' is essential.

3.114 During our consultation with media representatives, we found a willingness to co-operate with the international tennis authorities on integrity issues. The various consultees were aware of the dangers that professional tennis faced from cheating and corrupt betting practices. They recognised the problems of accreditation, unauthorised access to players and the availability of 'Inside Information'. It was commonly agreed that any media representative abusing the accreditation process to mis-use 'inside information' for betting purposes, should lose their right to any future accreditation at professional tennis matches. They also recognised the threat posed by journalists who were seeking 'a story' rather than being genuine tennis correspondents.

3.115 As other sports have experienced, the media can be 'your best friend or worst enemy' and managing the range of media interest on tennis is best served by having an agreed strategy.

3.116 We recommend a co-ordinated media strategy on integrity. **(Recommendation 14)**

(vi) **Interface with Betting and Betting Organisations**

- 3.117 Betting on professional tennis is now a global business. In addition to the various on-shore betting organisations (the traditional bookmaker) and the state betting agencies in those countries where betting is so controlled, there are currently some 562 on-line betting resources available through the internet. There is also a thriving illegal market in some parts of the world.
- 3.118 Attempting to assess the volume of betting on international tennis with so many possible sources (both legal and illegal) is a thankless and probably pointless task. Not only is the information very difficult, if not impossible to obtain, it would not cover the range of illegal betting which is prevalent in some parts of the world and it requires careful analysis to assess its precise meaning and relevance to integrity issues.
- 3.119 Our consultation with the Association of British Bookmakers, Ladbrokes and William Hill, in the UK, failed to elicit such information either because such figures were not held centrally or because individual bookmakers were unwilling to disclose them for reasons of commercial confidentiality.
- 3.120 A similar examination carried out in the USA (Las Vegas)⁷ last year also found that no separate statistics were available on the volume of legal betting on tennis in Las Vegas where betting is legal.
- 3.121 Enquiries made of other countries have also failed to obtain specific statistics for the volume of money bet on professional tennis last year. However, it is generally acknowledged that, internationally, on the legal markets, tennis is the third most popular sport for betting purposes, following football and horseracing.
- 3.122 Betfair, the UK Betting Exchange, which holds the majority share of the betting exchange turnover on professional tennis worldwide, has provided the volume of matched betting it handled on the four Grand Slam tournaments last year (see Appendix F).
- 3.123 These figures give a snapshot of the volumes wagered on the four major Grand Slam events but they require careful analysis and explanation. The figures do not relate to winnings – a common misunderstanding – they are purely volumes of matched bets (see later). Betting is available on other professional tennis tournaments throughout the year, although volumes will vary considerably according to the status of the event and what stage of the event is reached (eg volumes are greater on later rounds, semi-finals and finals).
- 3.124 As mentioned, in seeking to draw any conclusions from such figures insofar as they may relate to integrity issues, great care needs to be taken. They do, however, give a good indication of the volume of betting on both men's and women's matches in the four Grand Slam Tournaments in 2007, which will no doubt be replicated, or even increased, in 2008 and subsequent years.
- 3.125 We have seen figures quoted in a report⁸ prepared for the US Tennis Authorities on the US Open 2007. Two particular matches were quoted:

⁷ Safir Rosetti - November 2007

⁸ Safir Rosetti - November 2007

- (i) Feliciano Lopez versus Igor Andreev and
- (ii) Davydenko versus Haas.

3.126 Total bets on Betfair for the first match were given as US \$1,467,610 and on the second match as US \$19,494,186.

3.127 Further examination of these figures requires explanation on the large volumes shown.

3.128 The figure on a Betfair market which is most often cited is the 'matched' amount. Betfair calculates this number by taking the stake of each backed bet and (to a factor of two in that there are two parties to each bet) doubling that number. This means that if a customer stakes £100 on selection X to win, Betfair treats this as £200 'matched'.

3.129 The 'matched' number is always inflated by at least some customers backing and laying the same selection as the market prices move. A customer with just £100 in his Betfair account can at no point stand to lose more than this £100 but could make tens of thousands of pounds of 'bets' by backing and laying a selection in the same market as the prices change. Trading in this context is possible because, unlike a traditional bookmaker:

- Betfair does not charge a margin on each bet but instead charges a commission on a customer's overall profit on a market; and
- the Betfair market is dynamic with prices constantly changing, especially when an event is being offered 'in-running'.

3.130 A further illustration of how a player could manipulate/influence an in-play betting market in tennis is contained at Appendix G.

3.131 In the first match mentioned above, the traded volume on Betfair was £771,883 (US \$1,467,610) and in the second match the traded volume was £9,702,485 (US \$19,494,186). For reasons stated above, those numbers do not tell the real story. In the first match, the combined winnings of all customers who won on the market were £125,565. Logically this is the same number as the combined losses of all losing Betfair customers and represents the money (before deduction of Betfair's commission) that actually changed hand through Betfair. The biggest winning Betfair account won £12,741 on the market. In the second match the total winnings on the Betfair market were £379,366, with the single biggest winner profiting by £23,316.

3.132 This data is summarised in Figure 8.

Figure 8

	'Matched' Amount	Total Winnings	Biggest Winner
Lopez -v- Andreev	£771,883	£125,565	£12,741
Davydenko -v- Haas	£9,702,485	£379,366	£23,316

3.133 Without closer examination of each of the 'matched bets' on those games, together with analysis of any suspicious betting pattern movements, and other data gathered on the players or associates involved, it is impossible to draw any firm conclusions on whether any of the bets raised integrity concerns; in the case of the above matches, no apparent integrity issues have arisen.

- 3.134 The 'Integrity Team' of Betfair will be very alert to suspicious betting patterns and are willing to alert the sporting authorities of such matters 'in real time'. We recognise the efforts that the various Professional Tennis Authorities have made in agreeing Memoranda of Understanding with Betfair, ESSA and others but there is merit in having a single unit through which all such information can be routed, co-ordinated, assessed and disseminated .
- 3.135 If Recommendation 4 is pursued, professional tennis will have such a unit. Moreover, if the intelligence functions described in Section 3(v)(a) are then in place, any previous suspicious activity/data on the players/associates involved will have been logged and can form part of a pattern to build up an 'intelligence package' worth further investigation, either from a disciplinary aspect or, if appropriate, for referral to police (and, if relevant, in GB to the Gambling Commission).
- 3.136 Betfair provides a significant degree of transparency on both traded volumes and price movements on all its markets. However, the numbers provided on the Betfair website are often misunderstood and misquoted in respect of integrity issues.
- 3.137 Traditional bookmakers' markets are different. In the UK, our consultation with principal bookmakers has revealed that they offer betting on Grand Slam, ATP/WTA tournaments, although little or no markets are available in the UK on Challenger or Futures Events.
- 3.138 The bookmaker consultees we spoke to confirmed that their traders follow the Betting Exchange markets in setting/changing their odds but they said they had noticed no suspicious activity since 1.9.07 (the date when a legal obligation was placed on bookmakers in GB to report suspicious betting activity to the Gambling Commission/Sporting Authority).
- 3.139 The ABB confirmed that it would welcome a single point of contact for such issues to be referred for professional tennis.
- 3.140 During our consultation with senior representatives of the four international tennis bodies, we found a wide disparity of views on whether betting should be allowed on tennis at all.
- 3.141 At one end of the spectrum was the view that betting was the scourge of professional tennis, the fount of all evil and the principal reason why the sport had a growing integrity problem. At the other end was a view that betting on tennis was 'here to stay' and the sport needed to take a responsible and measured approach towards managing the challenge.
- 3.142 The 'threat'/'prohibitionist' approach was illustrated by the USTA representatives; betting is prohibited in the USA including on-line betting (except in Las Vegas). However, we were told that it is easy to access the on-line betting organisations internationally and put bets on a tennis match from the USA. This was borne out by the investigations conducted by Safir Rosetti. (Interestingly, the highest level of betting on the Grand Slams 2007 via Betfair was on the US Open men's matches.) Representatives from the Federation Francais de Tennis were equally strident about the problems caused by betting on the sport. Indeed, the organisers of the French Open have recently filed a complaint before a court in Liege, Belgium, and in Paris, claiming that Betfair, Bwin and Ladbrokes will stain the reputation of Roland Garros in May and should be prohibited from offering betting on the tournament.

- 3.143 Other countries take a more liberal view on betting on tennis, acknowledging that gambling is now a mainstream leisure activity in many parts of the world.
- 3.144 Consultees we spoke to had mixed views, although a large majority felt that as it would be difficult to ban completely, then it would be better to 'manage the challenge' rather than try to 'prohibit the threat' by driving more punters into the illegal markets. The simple fact is, betting on tennis will continue, whatever efforts may be made by some regulators to ban it.
- 3.145 Another aspect of the relationship between professional tennis and betting organisations worldwide was the issue of sponsorship, either for individual players or tournaments.
- 3.146 Again, there was no consensus on this issue. Some felt it was hypocritical to be seeking to combat corruption on one side, whilst accepting sponsorship from betting organisations of any kind, on the other.
- 3.147 We make no recommendation on sponsorship from betting organisations for tennis tournaments. However, we consider that there should be a total ban on players' personal sponsorship arrangements because they are able to influence the result of a match and, therefore, the perception of some irregularities/corrupt activity could arise. Since 2004, for example, ATP has banned players from wearing sponsorship logos of betting organisations. Corporate/tournament sponsorship by betting organisations is a matter for discussion and agreement by the International Professional Tennis Authorities. We regard any decision on these matters principally more a marketing issue than an integrity matter.
- 3.148 Acknowledging that the two views are poles apart, however, we offer the following thoughts to assist the discussions:
- (i) gambling is a legal and mainstream leisure activity in many parts of the world;
 - (ii) with numerous national bookmakers, including State run betting agencies, and some 562 internet betting sites around the world, banning all such activity is likely to be costly, technically challenging and have very limited chances of success;
 - (iii) prohibition will merely drive more betting underground into the illegal markets;
 - (iv) other sports have found that a significant weapon in the fight against corruption is the information provided by the betting exchanges (principally Betfair);
 - (v) the threat to the integrity of tennis is not solely linked to betting;
 - (vi) managing the challenge can bring financial opportunities to the sport;
 - (vii) an effective Anti-Corruption programme, including an 'Integrity Unit' is more likely to identify and deal with those who abuse the Regulations/Code of Conduct rather than driving them underground and thus making detection and deterrence far more difficult;
 - (viii) an opportunity for gaining financial support from betting can provide for the cost of integrity measures (see below).
- 3.149 During our consultation phase we were constantly reminded of the cost of dealing with integrity issues, including the threat from corrupt betting practices.
- 3.150 We fully recognise that the cost of maintaining and enhancing integrity is not cheap. However, as we have commented in Section 3(i) the potential cost of not tackling

integrity concerns 'head on' can be even more costly to the wellbeing, economy and reputation of professional tennis.

- 3.151 In respect of funding for dealing with integrity measures generally, whilst in Melbourne we spoke to tournament officials and security personnel on such matters. Our attention was drawn to the State of Victoria 'Gambling and Racing Legislation Amendment (Sports Betting) Act 2007' which amended previous legislation on betting on sporting and other events.
- 3.152 In essence, the Act provides for the approval of sports and other events by either the Minister (Horseracing, Harness Racing or Greyhound Racing) or the Victoria Gambling Commission (other events shown in Section 15.1 Table 1 of the Act) and an agreement between a sports controlling body and a betting provider to offer betting on an event. The approval determines the event or class of event allowed for betting purposes and covers integrity issues. The agreement must provide for the sharing of information between parties for the purposes of protecting and supporting integrity in sports and sports betting, as well as any fee payable by the sports betting providers. That fee must have regard to any integrity-related costs which the sports controlling body has incurred or may incur as a result of betting taking place on the event. We consider such provisions have merit and some form of similar legislation in other countries may provide a possible option for sporting authorities seeking income streams for funding their integrity measures.
- 3.153 In Section 1, we also referred to the efforts being made by the Sports Rights Owners Coalition (SROC) to the possibility of creating an income stream by selling sporting rights. The SROC response to the EC consultation on the White Paper for Sports comments that the sale of these rights creates an income stream that can be reinvested into every aspect of sport, including governance and regulation. This is another avenue that the Professional Tennis Authorities may wish to pursue in creating income to fund the cost of new integrity measures.
- 3.154 We fully recognise that the international nature of professional tennis may limit the introduction or effectiveness of any legislation across international/state jurisdictions.
- 3.155 However, if Recommendation 4 of this review is agreed and the Integrity Unit is based in London, then an opportunity arises for professional tennis to enlist the co-operation of other UK sports bodies (eg the British Horseracing Authority, the English Cricket Board, and the Football Association) to lobby the Department for Culture, Media and Sport (DCMS) to consider, for instance, the creation of a 'sui generis' – 'a Right to Bet' in a contractual sense between Sporting Authorities and Betting Organisations, similar to the powers in legislation in the State of Victoria and New Zealand.
- 3.156 Therefore, we recommend that the professional tennis authorities consider seeking the support of other sporting bodies for legislation creating income streams from selling sporting rights and/or the creation of a 'Right to Bet'.
(Recommendation 14)

(vii) **Interface with Police and Other Law Enforcement Agencies**

- 3.157 The integrity of professional tennis, like other sports, is principally addressed by the Regulations and Codes of Conduct for the Sport.
- 3.158 However, in some instances, particularly where corruption in respect of cheating at betting is concerned, the activity by sportsmen and women, their associates and

others, may involve suspicious or illegal behaviour amounting to criminal offences. In such cases, the investigation of crime is a matter for police in whatever jurisdiction is applicable to the circumstances.

- 3.159 As mentioned in Section 2(i) we recognise that criminals and even organised criminal gangs may be involved in higher level corruption in betting on professional tennis.
- 3.160 During our visit to Melbourne, we noted the level of liaison and co-operation between Tennis Australia and the Victorian State Police.
- 3.161 We were also advised of the policing arrangements for Roland Garros, US Open and Wimbledon, both in respect of general security and crowd control issues.
- 3.162 In this context, tournament organisers need to consider how best to deal with security issues, both in respect of the current global terrorist alert, local crowd control, and the wider threats to integrity (eg banning lap-tops/mobile telephones). We saw the stringent security arrangements at Melbourne for the Australian Open and yet spectators were still found in possession of lap-tops (which were banned) and mobile phones were in constant use (although these were not banned at the tournament). We make no recommendations on these issues as we believe they are best dealt with as part of a local risk assessment and security strategy agreed between tournament organisers and police.
- 3.163 On the wider issue of integrity, the picture concerning liaison with police is more patchy. The French tennis authorities have stated that their liaison at a senior French police level is good and they have queried whether that is so elsewhere. We have interviewed senior officials at the Serious and Organised Crime Agency (SOCA) in London. They have little direct interest in sporting crime/corruption unless it involves main targets for other offences (eg drugs, money laundering, people-trafficking). Sporting corruption does not feature in the SOCA threat assessment nor in GB's National Policing Plan. There is some interest in the 2012 London Olympics but no specific concerns have been raised about professional tennis, currently or in the future.
- 3.164 The experience of other sports in the UK is that police do not treat sporting crime/corruption as a priority and such cases and have always proved difficult to prosecute.
- 3.165 In GB, the Gambling Commission is likely to be the agency of first reference for sporting crime and particularly offences of cheating. Sporting Regulators in the UK have already forged close links with the Gambling Commission.
- 3.166 We believe it will be difficult to co-ordinate policing arrangements between the various nations hosting tennis tournaments. Where corrupt activities in professional tennis are serious enough to give rise to a suspicion of potential criminal offences, then these should be referred to police and not pursued as disciplinary matters. For the sake of clarity, it is worth noting that various elements of disciplinary offences under the rules of tennis may be similar to the actus reus/mens rea of criminal offences of fraud/cheating. When the actions are serious, and this will depend on the circumstances of each case, there will be a need to consider whether such cases should be referred to the police (Gambling Commission in GB) for further investigation. However, different legal provisions and operational practices apply in different parts of the world, as well as the willingness of police to become involved in 'sporting crime' and the Director/General Manager of the Integrity Unit should consider drawing up protocols for handling these issues in different countries.

SECTION 4 – TERMS OF REFERENCE 3 – SUMMARY OF RECOMMENDATIONS

- 4.1 Having identified and assessed the threats to the integrity of professional tennis worldwide, we consider there are four crucial recommendations to address those threats.

Recommendation 1: We fully support the harmonisation of the various Regulations and Codes of Conduct for Professional Tennis and **we strongly recommend that the new Uniform Anti-Corruption Programme is agreed by the various Tennis Authorities.**

Recommendation 2: **We strongly recommend that the new Anti-Corruption Programme forms the basis for a new Regulatory Strategy which focuses principally in the twin aims of 'prevention' and 'detection' and is supported by an improved education and awareness programme which identifies the principal threats to professional tennis and the action to address them.**

Recommendation 3: **We strongly recommend the creation of an Integrity Unit to the degree represented by Option 1 or 2.**

Recommendation 4: **We strongly recommend the Director/General Manager of the Integrity Unit should prepare:**

- (i) **an intelligence strategy**
- (ii) **an investigation strategy and**
- (iii) **a user requirement for a computer database incorporating the administrative and operational procedures detailed in Section 3(v) (a)&(b).**

- 4.2 In addition, we make the following 11 other recommendations which we consider are important to encourage a more focused Anti-Corruption culture for professional tennis and create an environment in which threats to integrity issues can more readily be identified and addressed:

Recommendation 5: The current ban on players betting to be reiterated in the Uniform Anti-Corruption Programme is maintained.

Recommendation 6: The current ban on betting on tennis by tournament representatives and other relevant persons to be reiterated in the Uniform Anti-Corruption Programme is maintained.

Recommendation 7: That officials examine those matches that players take part in over and above those necessary for achieving ranking points. If that study confirms our suspicions that such matches are vulnerable to the integrity of tennis, then careful consideration should be given to the Ranking Rules being changed to make each match count.

Recommendation 8: There should be a review of current accreditation procedures for all Grand Slam, ITP, ATP and WTA Tournaments.

Recommendation 9: Only the player and essential tournament personnel should have access to the players' locker room (in both men and women's tennis) and this should be specified in the regulations.

Recommendation 10: 'Inside Information' is defined as 'information about the likely participation or likely performance of a player in a professional tennis match which is known by the player, coach, physio, tournament official, other relevant person, or betting or media representative, and is not in the public domain.

nb: 'relevant person' is whoever is defined in or covered by the re-drafted harmonised regulations.

nb: 'information in the public domain' is information which has been published or is a matter of public record or can be readily acquired by an interested member of the public and/or information which has been disclosed according to the rules or regulations governing a particular event.

nb: inside information includes 'matters of fact' and 'matters of opinion'.

Recommendation 11: A separate 'integrity module' is created to include the assessed threats and recommendations of this report and used for the education and awareness of both male and female players.

Recommendation 12: A streamlined common investigation process and a single hearings tribunal for all disciplinary cases involving integrity issues.

Recommendation 13: Any player caught cheating should be punished by a lengthy suspension for a first offence and, if the circumstances merit it, a life ban.

Recommendation 14: An agreed co-ordinated media strategy for integrity issues which is:

- planned;
- clear;
- consistent;
- targeted;
- proactive and reactive.

Recommendation 15: The Professional Tennis Authorities consider seeking the support of other sporting bodies for legislation creating income streams from selling sporting rights and/or the creation of a 'Right to Bet'.

SECTION 5 – CONCLUSIONS

- 5.1 Professional tennis, like other sports, is experiencing threats to integrity from a range of issues.
- 5.2 The threat from the more serious level of cheating for corrupt betting purposes is difficult to assess in evidential terms. We have detailed, however, a number of suspected tennis matches over the past five years, and currently, which are being, or need to be, investigated further. There are strong indications that some players are vulnerable to corrupt approaches and others outside of tennis are using them to make corrupt games on betting from professional tennis. For these reasons, we believe that action is necessary now to address the problems.
- 5.3 The separate regulatory processes and procedures for investigating such offences have blunted the effectiveness of investigations in the past because they have principally focused on single issues/cases rather than building up evidence from an intelligence-based platform following co-ordination of information and analysis of

different events which have identified suspected targets. The structure and procedures we recommend in this report will enhance both the efficiency and effectiveness of disciplinary investigations, as well as acting as a sound decision basis on when such matters should be referred to police.

- 5.4 The middle to lower level of threats to integrity described in Section 2 also need to be addressed. A culture of players breaching the rules at the lower end of the threat spectrum without rigorous investigation and sanction can lead to complacency at least and a lack of compliance/complete disregard of the Rules at most.
- 5.5 A recognition of these issues, together with an agreement by the Professional Tennis Authorities and determination to address them will help to maintain and enhance the integrity of a professional sport which is played by so many and enjoyed by millions around the world.
- 5.6 The recommendations of this report, supported by an agreed Anti-Corruption Programme, are designed to achieve that goal. An estimate of the costs of introducing the new integrity measures recommended in this report have been passed to the Professional Tennis Authorities and reflect two options. Proper regulation is not cheap but the cost of not taking action now could be immeasurably higher to both the sporting and commercial interests of professional tennis.

A P P E N D I C E S

- A. Terms of Reference.
- B. Methodology and Consultation.
- C. Regulatory Strategy.
- D. Stages of Investigation.
- E. Integrity Unit – Job Descriptions.
- F. Betting Figures (Betfair only) on the Grand Slam Tournaments in 2007.
- G. Illustration of In-Play Betting Market.

TERMS OF REFERENCE

- (i) To identify the nature of the threats to the integrity of professional tennis worldwide.
- (ii) To consider what regulatory strategies, structures, policies and resources are necessary to combat current and foreseeable threats to integrity worldwide.
- (iii) To report the recommendations to the commissioning tennis authorities.

METHODOLOGY AND CONSULTATION

The review studied a wide range of materials, reports and documents provided by the various international tennis regulatory bodies.

Other relevant documents and papers from persons, agencies and organisations consulted during this review have also been examined.

Ninety-five interviews were conducted with people representing a wide range of stakeholders and interests within tennis and the betting industries, as well as senior representatives of the various international tennis bodies.

Visits were made by the reviewers to three international tennis tournaments, viz:

- Australian Open 14-27 January (Grand Slam).
- Dubai Tennis Tournament 27 February-3 March (Tier II WTA/ATP).
- Bangalore Tournament 4-7 March (Tier III WTA).

A selection of tennis media representatives have also been interviewed and invited to comment on integrity issues affecting the sport.

In progressing the consultative phase of this review, the range of stakeholders interviewed included:

At tennis tournaments

- Players (men and women).
- Ex players (men and women).
- Players' managers/agents.
- Players' council.
- Parents of players
- Coaches.
- Coaches committee member.
- Physiotherapists.
- Tournament officials including:
 - tournament directors;
 - tournament supervisors;
 - umpires;
 - security personnel;
 - medical staff.
- Accreditation staff.
- Former player (advisor to major betting organisation).

Professional Tennis Organisations

- Senior officials from:
 - International Tennis Federation;
 - Association of Tennis Professionals;
 - Women's Tennis Association;
 - Tennis Australia;
 - Federation Francaise de Tennis;
 - United States Tennis Association;
 - All England Lawn Tennis and Croquet Club, Wimbledon;
 - Lawn Tennis Association – GB.

Other Sporting Bodies

- Comité International Olympique.
- The Professional Golfers' Association GB.
- The International Cricket Council.
- The British Horseracing Authority.

Media/TV

- The Times (GB).
- Sunday Times (GB).
- Sunday Telegraph (GB).
- Observer (GB).
- Daily Mail.
- New York Times (USA).
- Deutsche Press Agency (Germany)
- International Spanish Service.
- Australia Today (Australia).
- Tages – Anzeiger (Switzerland).
- L-Equipe (France).
- ESPN Television.

Tennis Agents

- IMG (Sports – entertainment – media).
- Octagon USA.

Sponsors

- 'Yes Optus'

Tennis Equipment Manufacturers

- Wilsons Sports Equipment.

Betting Organisations

- Betfair.
- Association of British Bookmakers.
- William Hills.
- Ladbrokes.
- European Sports Security Association.

Regulatory Review

- Onside law.

Gambling Commissions

- Victorian Gambling Commission (Australia).
- Gambling Commission (GB).

Law Enforcement

- Serious and Organised Crime Agency (UK).

A REGULATORY STRATEGY

To maintain and enhance the integrity of professional tennis utilising the new Anti-Corruption Programme.

In seeking to implement the Anti-Corruption Programme, the Regulatory Strategy will focus on the twin objectives of 'Prevention' (deterrence) and 'Detection' (enforcement) supported by a comprehensive education and awareness programme which identifies the principal threats, viz:

- (i) corrupt practice by players and others in respect of betting on tennis;
- (ii) breaches of the Rules and Regulations/Code of Conduct for tennis (eg 'tanking');
- (iii) accreditation abuse and violation of credentials;
- (iv) misuse of 'Inside Information' for corrupt betting;
- (v) illegal or abusive behaviour towards players

and provides information on the action to address those threats.

STAGES OF INVESTIGATION

Stage One:

- Carry out detailed analysis of betting records;
- Overlay the betting spreadsheet over the Umpire's score sheet to take account of betting during play;
- Prepare initial interviews with Players, Officials and Witnesses.

Stage Two:

- Set up interviews with players that take account of tournament schedules in various parts of the world;
- Consider the need for interpreters;
- At interview request telephone records and forensically examine handsets;
- Set up interviews with match day officials, taking into consideration the logistical issues of location and language barriers and schedule.

Stage Three:

Prepare and undertake interviews with the account holders involved in the suspicious betting patterns.

- Seek assistance from the various Account Holders;
- Check if Betfair able to facilitate interviews.

Stage Four:

Initial interviews completed.

- Transcribe interviews into English (time consuming and expensive);
- Translate data from handsets into English (again time consuming and expensive);
- Analyse telephone records when received (not straightforward as usually foreign service providers);
- Analyse data from telephone handsets.

Stage Five:

Consider further interviews to check/explain evidence already obtained.

INTEGRITY UNIT

JOB DESCRIPTIONS

JOB TITLE: Director

REPORTS TO:

DATE: May 2008

JOB PURPOSE:

To deter and detect corruption and malpractice in Professional Tennis by developing and co-ordinating a strategic and tactical approach to anti-corruption measures on behalf of all of the International Tennis governing bodies.

To develop and co-ordinate relationships with key parties in Professional Tennis, the betting industries internationally and when necessary, law enforcement agencies and others, including the Gambling Commission.

Principal Responsibilities

- To develop and implement a strategic assessment for both the prevention and detection of corrupt practices in Professional Tennis.
- To develop and co-ordinate a structure (in accordance with the British National Intelligence Model) of full and part time staff gathering information and intelligence that drives an investigation process into corrupt practices in Professional Tennis.
- Overall responsibility of all Unit Staff.
- To co-ordinate and deliver a comprehensive education programme to all players, support staff and officials in Professional Tennis with the aim of clarifying the threats to tennis and identifying action to address the threats.
- At a strategic level act as a conduit between the International Tennis Authorities on integrity related issues to ensure there is a consistent response to tackling corruption in Professional Tennis.

JOB DESCRIPTION

JOB TITLE: Head of Intelligence & Investigation

REPORTS TO: Director

DATE: May 2008

Job Purpose:

To deter and detect corruption and malpractice in World Tennis, on a daily basis and co-ordinate and manage the intelligence and investigative functions on behalf of International Tennis Authorities.

Principal Responsibilities

- To assist the Director in establishing a structure of full (and part time) staff for the gathering of information and intelligence for investigating corrupt practices in Professional Tennis.
- To co-ordinate and proactively manage all aspects of the intelligence and investigative systems and processes with the aim of creating an enhanced deterrence against corrupt activities in Professional Tennis.
- To devise and implement operational policies for the management of intelligence and the conduct of investigations using the British National Intelligence Model as a template.
- To set standards and review methods of investigations.
- To develop an IT user requirement for both the intelligence and investigative process and fully implement its findings.
- Act as the controller of confidential sources.
- At an operational level liaise with key parties in Professional Tennis, the betting industries internationally and when necessary, law enforcement agencies and others, including the Gambling Commission (GB).

JOB DESCRIPTION

JOB TITLE: Intelligence and Investigation Unit Administrator

REPORTS TO: Head of Intelligence & Investigation

DATE: May 2008

Job Purpose:

To provide administrative support to the Intelligence and Investigative functions for Professional Tennis as required.

To co-ordinate the process for intelligence gathering ensuring that systems are in place for the collection and storage of the product (information/intelligence).

Principal Responsibilities

- On a daily basis manage and intelligence database and investigative case management system.
- To ensure the efficient and effective management and production of the tasking and briefing process for Professional Tennis in line with the British National Intelligence Model.
- To work closely with the Head of Intelligence & Investigations on the development of suitable intelligence management and investigation case handling systems.
- To collate and assess intelligence reports and provide intelligence packages for outside agencies on behalf of Professional Tennis.
- To ensure integrity of data on intelligence and associated IT systems.
- To provide general administrative support as requested.

JOB DESCRIPTION

JOB TITLE: Principal Betting Analyst
REPORTS TO: Head of Intelligence & Investigations
DATE: May 2008

JOB PURPOSE:

Monitor all relevant betting markets on a daily basis with the principal aim of identifying suspicious betting patterns.

Provide expert advice on all betting issues in support of on-going investigations which will include producing written statements and giving expert evidence at any subsequent disciplinary hearing.

PRINCIPAL ACCOUNTABILITIES:

- To monitor on a daily basis market movements on betting exchanges and the traditional bookmakers.
- To research betting information in a forensic manner, identifying significant transactions, links and similarities.
- To develop betting information/intelligence for allocation to the Investigators for progression.
- To assist and advise investigating officers on betting related matters relevant to specific investigations; becoming part of the investigation team (including assisting with interviews) in specific betting related investigations.
- To work closely with key parties in Professional Tennis, the betting industries Internationally and when necessary, law enforcement agencies and others, including the Gambling Commission GB or other like agencies, keeping abreast of all developments in the betting industry.
- Provide/facilitate training for all betting related matters to Professional Tennis.

JOB DESCRIPTION

JOB TITLE: Principal Intelligence Analyst
REPORTS TO: Head of Intelligence & Investigations
DATE: May 2008

JOB PURPOSE:

- To provide World Tennis with an 'intelligence analysis' capability, in particular:
 - > to identify associations and activity that undermine the integrity of tennis;
 - > to ensure the investigative work of others is focused through analytical work;
 - > to identify information or evidential gaps; and to
 - > to present analytical work through written reports and charts
- To develop information and analytical processes to improve the quality of the above.

PRINCIPAL ACCOUNTABILITIES:

- Collating and analysing information in support of ongoing investigations.
- To attend Tasking and Coordination Group meetings to provide an update on analytical work.
- Attending disciplinary hearings, to explain or justify analytical findings or processes.
- Liaise with other Tennis Bodies and Counsel to ensure the inclusion of analytical work in discipline cases.

JOB DESCRIPTION

Position: Investigator

Department: Integrity Unit

Job Specification

Main purpose of the job:

To prevent corruption within international tennis by pursuing allegations and investigating suspicious behaviour.

Principal responsibilities:

- Investigate allegations of corruption
- Develop sources of information within the sport.
- Interview suspects
- Target players and others suspected of involvement in tennis corruption
- Liaise with police officers enquiring into cricket-related corruption.
- Deliver talks on corruption and related issues to a variety of audiences.
- Take witness statements, and gather evidence
- Prepare cases for prosecution

Staff responsibilities:

None directly.

Skills, qualifications and experience:

- Unquestionable integrity.
- Sound investigative background with extensive experience of cognitive interviewing techniques whilst dealing with people from different cultural and social backgrounds.
- IT Literate.
- Ability to write structured and complex reports.
- Full understanding of modern investigative techniques and tactics, including methods of surveillance and use of technical assistance.
- Experience of handling difficult, manipulative and possibly unreliable sources of information.
- An appreciation of a highest ethical standards expected of Unit staff during their work, and the ability to adhere to those standards.
- An awareness of, and the ability to adapt to, methods of operating in differing legal jurisdictions.
- An appreciation of how data protection and discovery impacts on information from, and dissemination to, differing legal jurisdictions.
- Experience of public speaking.

JOB DESCRIPTION

Position: General Manager/Chief Investigator (*more suitable title in due course*)

Department: Integrity Unit

Reports to:

Job Specification**Main purpose of the job:**

To prevent corruption within international tennis by managing all aspects of the work of the Integrity Unit and heading some investigations personally.

Main job duties/responsibilities:

- Supervise maintenance of the information database, giving strategic direction as necessary.
- Prioritising investigations and lines of enquiry.
- Interact with the gambling industry to develop betting related intelligence.
- Carry out some investigations personally, and supervise other investigations carried out by Unit personnel.
- Develop long and short term strategies for developing intelligence.
- Develop sources of information within the sport, and also in related professions within the betting industry, who may be able to assist in respect of corruption.
- Liaise with police officers enquiring into tennis-related corruption.
- Construct and maintain an anti-corruption education and awareness programme, refining and amending it in response to developments in corruption-related practices.
- Deliver talks on corruption and related issues to a variety of audiences.
- Managing and supervising the handling of informants by Unit staff.

Staff responsibilities:

Supervision of the Unit's Investigators, the Information Manager, the Administrator and any other staff appointed to the Unit.

Skills, qualifications and experience:

- Unquestionable integrity.
- Experience of managing and supervising staff.
- Experience of managing investigations in different countries and different jurisdictions.
- Sound investigative background with extensive experience of cognitive interviewing techniques whilst dealing with people from different cultural and social backgrounds.
- Computer literate.
- Ability to write structured and complex reports.
- Full understanding of modern investigative techniques and tactics, including methods of surveillance and use of technical assistance.
- Experience of handling difficult, manipulative and possibly unreliable sources of information.
- An appreciation of a highest ethical standards expected of Unit staff during their work, and the ability to adhere to those standards.
- An appreciation of how data protection and discovery impacts on information from, and dissemination to, differing legal jurisdictions.
- Experience of public speaking.
- Experience of constructing training programmes.

JOB DESCRIPTION

Position: Information Manager

Reports to: Head of Unit

Job Specification

Principal Purpose of the Role:

To prevent corruption within international tennis by gathering, analysing, maintaining and disseminating intelligence.

Main job duties/responsibilities:

- Maintain the confidential Unit database.
- Interact with the gambling industry to develop betting related intelligence.
- Represent the Unit in all IT matters.
- Develop long and short term strategies for developing intelligence.
- Develop sources of information within the sport, and also in related professions within the betting industry, who may be able to assist in respect of corruption.
- Liaise with police officers enquiring into tennis-related corruption.
- Deliver talks on tennis corruption and related issues to a variety of audiences.

Staff responsibilities:

None directly.

Skills, qualifications and experience:

- Unquestionable integrity.
- Sound intelligence and investigative background with extensive experience of cognitive interviewing techniques whilst dealing with people from different cultural and social backgrounds.
- Highly computer literate with the ability construct and maintain databases.
- Familiar with analytical software, and competent in the use of the major Microsoft applications.
- Ability to write structured and complex reports.
- Full understanding of modern investigative techniques and tactics, including methods of surveillance and use of technical assistance.
- Experience of handling difficult, manipulative and possibly unreliable sources of information.
- An appreciation of a highest ethical standards expected of Unit staff during their work, and the ability to adhere to those standards.
- An awareness of, and the ability to adapt to, the methods of operating in differing legal jurisdictions.
- An appreciation of how data protection and discovery impacts on information from, and dissemination to, differing legal jurisdictions.
- Experience of public speaking.
- Ability to interpret internet betting patterns.

JOB DESCRIPTION

Position: Investigator

Department: Integrity Unit

Job Specification

Main purpose of the job:

To prevent corruption within international tennis by pursuing allegations and investigating suspicious behaviour.

Main job duties/responsibilities:

- Investigate allegations of corruption.
- Develop sources of information within the sport.
- Interview suspects.
- Target players and others suspected of involvement in tennis corruption.
- Liaise with police officers enquiring into cricket-related corruption.
- Deliver talks on corruption and related issues to a variety of audiences.
- Take witness statements, and gather evidence.
- Prepare cases for prosecution.

Staff responsibilities:

None directly.

Skills, qualifications and experience:

- Unquestionable integrity.
- Sound investigative background with extensive experience of cognitive interviewing techniques whilst dealing with people from different cultural and social backgrounds.
- IT Literate.
- Ability to write structured and complex reports.
- Full understanding of modern investigative techniques and tactics, including methods of surveillance and use of technical assistance.
- Experience of handling difficult, manipulative and possibly unreliable sources of information.
- An appreciation of a highest ethical standards expected of Unit staff during their work, and the ability to adhere to those standards.
- An awareness of, and the ability to adapt to, methods of operating in differing legal jurisdictions.
- An appreciation of how data protection and discovery impacts on information from, and dissemination to, differing legal jurisdictions.
- Experience of public speaking.

MATCHED BETTING ON BETFAIR FOR THE GRAND SLAMS 2007
(All figures in pounds sterling)

AUSTRALIAN OPEN (Women)

First Round Total	12,035,899
Second Round Total	10,996,474
Third Round Total	17,382,649
Fourth Round Total	17,275,005
Quarter Finals Total	21,795,135
Semis	9,954,220
Final	4,605,584
Grand Total	94,044,966

Largest sum: Sharapova –v- Chakvetadze in Quarter Finals: 8,177,891
 25 matches generated over 1 million pound in matched bets.

AUSTRALIAN OPEN (Men)

First Round Total	34,768,294
Second Round Total	40,984,936
Third Round Total	37,559,911
Fourth Round Total	34,792,683
Quarter Finals Total	21,944,298
Semis	14,458,514
Final	10,065,246
Grand Total	194,573,892

Largest sum: Murray –v- Nadal in the Fourth Round: 14,581,928
 46 matches generated over 1 million pounds in matched bets.

ROLAND GARROS (Women)

First Round Total	26,403,651
Second Round Total	22,647,850
Third Round Total	33,619,709
Fourth Round Total	22,350,003
Quarter Finals Total	20,432,008
Semis	21,387,169
Final	10,231,267
Grand Total	157,071,657

Largest sum: Henin –V- Jankovic in Semis: 12,949,226
 35 matches generated over 1 million pounds in matched bets.

ROLAND GARROS (Men)

First Round Total	39,574,941
Second Round Total	44,546,007
Third Round Total	43,291,298
Fourth Round Total	54,585,093
Quarter Finals Total	45,126,072
Semis	30,299,136
Final	20,195,083
Grand Total	277,617,630

Largest sum: Federer -v- Nadal in Final: 20,195,083
55 matches generated over 1 million pounds in matched bets.

WIMBLEDON (Women)

First Round Total	27,824,739
Second Round Total	17,872,451
Third Round Total	30,284,535
Fourth Round Total	36,446,682
Quarter Finals Total	31,046,273
Semis	18,153,127
Final	11,116,684
Grand Total	172,744,491

Largest sum: Henin -v- S. Williams in Quarter Finals: 14,887,588
32 matches generated over 1 million pounds in matched bets.

WIMBLEDON (Men)

Qualifiers Total	363,897
First Round Total	53,155,775
Second Round Total	51,561,102
Third Round Total	48,845,708
Fourth Round Total	29,434,581
Quarter Finals Total	55,168,674
Semis	15,172,111
Final	30,181,595
Grand Total	283,883,443

Largest sum: Federer -v- Nadal in Final: 30,181,595
47 matches generated over 1 million pounds in matched bets.

US (Women)

First Round Total	19,579,443
Second Round Total	21,746,875
Third Round Total	21,677,415
Fourth Round Total	22,709,347
Quarter Finals Total	25,694,656
Semis	7,988,786
Final	8,873,493
Grand Total	128,270,015

Largest sum: Jankovic -v- Williams in Quarter Finals: 9,616,643.
32 matches generated over 1 million in matched bets.

US (Men)

First Round Total	67,112,378
Second Round Total	57,218,274
Third Round Total	43,358,673
Fourth Round Total	66,115,080
Quarter Finals Total	36,571,027
Semis	21,537,652
Final	16,027,669
Grand Total	307,940,753

Largest sum: Federer -v- Djokovic in Final: 16,027,669
61 matches generated over 1 million pounds in matched bets.

AN ILLUSTRATION OF HOW A PLAYER COULD MANIPULATE AN IN-PLAY BETTING MARKET IN TENNIS

This appendix offers an illustration of how a risk-free betting gain could be obtained in a betting exchange market by someone who knew that a favourite would lose the first set of a match. The example uses real data from Betfair for a match, although details of players have been anonymised and there is no suggestion that there was anything irregular in either the conduct of the particular game or the pattern of trade it generated on the exchange. The example illustrates what would be possible with advance knowledge that the favourite (in this case Player A) would lose the first set.

Volume on this match on Betfair was £84,334 before it started, with a further £1,230,981 matched during play. Volumes would be much higher in a major tournament.

Odds available at which to lay Player A before play started were 1:27.

With one set lost by Player A (in a three set match), odds lengthened. It was then possible to back him at odds of 2:00.

Suppose one layed Player A for £10,000 before the match. This implied losing £2,700 if he won the match, winning £10,000 if he lost the match.

Step 2 in the manoeuvre required backing Player A with a stake of £6,350 (at odds of 2:00) at the conclusion of the first set. This implied winning £6,350 if he won the match in the end and losing £6,350 if he lost the match in the end.

Combining the two wagers, a profit of £3,650 was guaranteed whatever the final result of the match.

Source: *University of Salford Report 'Risks to the Integrity of Sport from Betting Corruption – February 2008*