



Several Reflections on Integrity in Sports

1. Introduction

'Winning is nice if you don't lose your integrity in the process.'

This frequently cited quote from a 1970s American television show¹ remains particularly striking in the field of sports. It is beyond doubt that sports eminently thrive by the grace of its integrity. The mere semblance of dishonesty, manipulation or corruption in sports often leads to pure loathing of stakeholders with all its potential (commercial) consequences. Sports regulators therefore have great interest in maintaining integrity. Yet, in their attempt to keep their sport fair and ethical, sports governing bodies face numerous challenges, both from the outside world as from within. Integrity, however, is quite a broad term and it is not the purpose of this paper to cover its entire spectrum. Therefore, this paper focuses on the following four major challenges of sports' integrity and the effectiveness of the responses thereto:

- Doping;
- Institutional corruption;
- Betting-related corruption (including match-fixing);
- Financial integrity.

These challenges have proved to be highly topical in terms of threatening the essence of sports and have caught much media coverage over the past few years. The vulnerabilities that come along with these respective

issues seem to have in common that sporting interest mingle more and more with financial interests of individuals. As the mingling of sports and financial interests will not disappear and will probably increase in the (near) future, it is justified to aim at the weak spots in sports' integrity and it is my conviction that the issues addressed in this paper are of, at any rate, have great potential to be such weakness.

2. Doping

2.1. General

Abolishing doping in sport is generally seen as one of the greatest challenges that sports regulators face in keeping their sport fair and ethical. Suggestions of the use of performance enhancing drugs (PEDs) were rare in ancient times.² PED Restrictions were, however, first imposed during the 1920s³ and a firm regulatory response to doping was pushed by a series of events from the 1960s. The deaths of cyclists Jensen and Simpson in the 1960s,⁴ the revelation of widespread use of steroids pursuant to the 1988 case of Ben Johnson,⁵ the unravelling of the East-German doping programme⁶ and the appearance of blood doping during the 1980s⁷ prompted the IOC⁸ to gradually introduce and develop testing techniques. Notwithstanding earlier attempts to harmonise anti-doping rules,⁹ it was the intervention of the French criminal authorities that exercised a raid within Team Festina during the 1998 Tour de France that was seen

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1. 'Welcome Back, Kotter', ABC 1975-1979.
2. Waddington, I. and Smith, S., *An Introduction to Drugs in Sport*, Oxon: Routledge 2009 (1st edition), p. 18; Yesalis, C.E., 'History of Doping in Sport', *International Sport Studies* 24, issue 1 (2002), p. 44.
3. Ibid.
4. Yesalis, C.E., 'History of Doping in Sport', *International Sport Studies* 24, issue 1 (2002), p. 51.
5. Mr Justice Charles Dubin, *Report of the Commission of Inquiry into the Use of Drugs and Banned Practices Intended to Increase Athletic Performance*, Ottawa 1990; Moriarty, D., Fairall, D. and Galasso, P.J., 'The Canadian Commission of Inquiry into the Use of Drugs and Banned Practices Intended to Increase Athletic Performance', *Journal of Legal Aspects of Sport* 2, issue 1 (1992), pp. 23-31.
6. Undergleider, S., *Faust's Gold: Inside the East German Doping Machine*, New York: St. Martins Press 2001.
7. Rosen, D.M., *Dope: A History of Performance Enhancement in Sports from the Nineteenth Century to Today*, Westport (CT): Praeger Publishers 2008, p. 59.
8. International Olympic Committee.
9. IOC, *The International Olympic Charter Against Doping in Sports*, September 1988; IOC, *Preventing and Fighting against Doping in Sport*, Lausanne 1994.

as seminal to the establishment of WADA in 1999¹⁰ and the need for a harmonised anti-doping policy.¹¹

WADA was established as an international independent agency composed and funded equally by the sport movement and governments of the world.¹² WADA's primary objective is 'to promote and coordinate at international level the fight against doping in sport in all its forms'.¹³ Unlike the IOC, WADA was determined to seek political engagement in its fight against doping in sport.¹⁴ The first World Anti-Doping Code (WADC) was adopted in 2003.¹⁵ Although governments were enabled to sign a Government Declaration in support of the WADC,¹⁶ the UNESCO International Convention against Doping in Sport was developed to create a formal legal basis for governments to be linked to the WADC.¹⁷

The case of the Russian Athletic Federation and IAAF¹⁸ demonstrates the ongoing immediacy of the doping issue. This determination is backed by the recent revelation of the use of meldonium, a substance prohibited as from 2016, by several athletes, including Russian tennis star Maria Sharapova.¹⁹

2.2. Key elements WADC

The key elements of the WADC, which was last revised in 2015, include doping control,²⁰ education and research,²¹ roles and responsibilities²² and compliance.²³ Presence, (attempted) use, possession, (attempted) trafficking or (attempted) administration of prohibited substances or methods are all considered anti-doping violations under the WADC.²⁴ Therefore, the system of the WADC is largely build upon the List of Prohibited Substances and Methods at all times or in-competition only.²⁵ Other violations such as sample collection failures,

whereabouts failures, tampering with any part of doping control and intentional complicity²⁶ show that the WADC is further designed to abolish the frustration of doping control or facilitation anti-doping violations. Although the doping authority carries the burden of proof of an anti-doping violation, the WADC reasons from the strict liability of the athlete as regards to presence and use violations, meaning that those violations are committed regardless of the athlete's intent, fault, negligence or knowing.²⁷

2.3. Integrity as justifications for anti-doping policy

Clearly, regulating drug use in sport goes hand in hand with restrictions imposed on an athlete's freedom which must be necessary and proportionate in light of a legitimate sporting objective.²⁸ Generally, there are three objectives of anti-doping policy: (i) protecting the athlete's health, (ii) the right of a clean athlete to a level playing field and (iii) sports' ethics and reputation.²⁹ The 'clean athlete' argument is predominantly based on the presumption that a clean athlete's accomplishments should be deprived from any suspicion of cheating³⁰ and to prevent that clean athletes are coerced into taking drugs themselves because they feel that it is their only resort to a level playing field.³¹ As an overarching fundamental rationale the WADC's objective is 'to preserve what is intrinsically valuable about sport' or 'the spirit of sport' which includes matters of integrity as ethics, fair play and honesty.³² Hence, justification of anti-doping policy is substantially sought in sports' integrity.

2.4. Critical evaluation

The WADC is designed to keep the sport clean and to ensure a level playing field rather than to only fight 'cheating'. According to the ECJ,³³ safeguarding 'equal chances for athletes' and 'the integrity and objectivity

10. World Anti-Doping Agency.

11. Pound, R.W., 'The World Anti-Doping Agency: an experiment in international law', *International Sports Law Review* 2 (2002), pp. 53-59.

12. WADA, 'Who we are', available at www.wada-ama.org/en/who-we-are.

13. See Article 4 Section 1 and 2 of the Constitutive instrument of foundation of WADA, available from wcd.coe.int/.

14. McDermott, V., *The War on Drugs in Sport: Moral Panics and Organizational Legitimacy*, New York: Routledge 2016, p. 81.

15. Copenhagen World Conference on Doping in Sport of 5 March 2003, 'World Conference on Doping in Sport Resolution'.

16. Id., Government Declaration.

17. Pound, R.W., 'The World Anti-Doping Agency: an experiment in international law', *International Sports Law Review* 2 (2002), pp. 53-59.

18. International Association of Athletic Federations.

19. 'Maria Sharapova provisionally banned from tennis after revealing failed drug test', *The Guardian* 8 March 2016.

20. WADC, Part One.

21. WADC, Part Two.

22. WADC, Part Three.

23. WADC, Part Four.

24. WADC, Articles 2.1-2.10.

25. WADC, Article 4.2.1.

26. WADC, Article 4.2.1.

27. WADC, Article 2.1.1.

28. Lewis, A. and Taylor, J., *Sport: Law and Practice*, London: Bloomsbury Professional 2014, para. B1.5.

29. Cox, N., 'Legalisation of drug use in sport', *International Sports Law Review* 2 (2002), pp. 77-88; Cox, N., 'Towards Principled Justification for anti-Doping Rules in Sport', *Dublin University Law Journal* 22 (2000), pp. 19-49.

30. Verroken, M., 'A Time for Re-evaluation: The Challenge to an Athlete's Reputation', in: O'Leary, J., *Drugs and Doping in Sport*, London: Cavendish Publishing 2001, p. 31.

31. Murray, T.H., 'The Coercive Power of Drugs in Sport', *The Hastings Center Report*, August 1983, pp. 24-30.

32. WADC, p. 14.

33. European Court of Justice.

of competitive sport' are indeed among the legitimate (sporting) objectives that justify any restrictive effects of anti-doping rules on competition.³⁴ Nonetheless, anti-doping's integrity-related rationales face opposition which should be critically evaluated.

Firstly, Cox argues that a level playing field is no valid justification for anti-doping policy because there will always be inequalities in sport.³⁵ Albeit there are undeniable differences in natural physical abilities, origin, residence and wealth of athletes that all contribute to the inherent inequality of the sporting playing field,³⁶ the need for a level playing field does not imply that all inequalities should be removed. Simply put, some inequalities are acceptable and others are not. Other than natural talents, origin and residence of athletes for instance, it is clear to me that doping belongs to the latter category. In support thereof it must be addressed that doping is, like no other, a money driven practice. Legalising doping may well create a playing field which is predominantly based on the unequal access of athletes to monetary resources in order to invest in the most advanced doping programmes rather than on inequalities inherent to the natural abilities of athletes providing the competitive balance that makes sports fair, joyful and attractive.

Secondly, Savulescu et al. have suggested that allowing PEDs will increase equality in sports as they are designed to remove the genetic differences between athletes,³⁷ an argument that does not convince me either. Again, the competitive balance in sport is eminently built upon the genetic differences of athletes. Removing these inequalities by legalising PEDs will not only deprive competitive sports from its very heart, it is foreseeable that it will also introduce new inequalities that have little to do with the intrinsic talent of athletes and much to do with who can finance the most sophisticated doping programmes. Saving the current expenses involved with anti-doping tests in order to finance the supply of doping to poorer athletes, as Savulescu et al. argue,³⁸ offers no desirable solution as it will not stop the development of a costly innovation race that will ultimately still provide 'rich' athletes with better access to more advanced doping techniques. Admitting thereto will not only encourage young athletes to use PEDs, it will also make it practically impossible for upcoming athletes to compete with the established order that is already sponsored for expensive

doping programmes. Athletes will undoubtedly thrive with access to more financing as such resources may improve their training conditions and facilities and ultimately results and there will always be differences in that respect. There is nothing wrong with that as long as the access to more financial resources depends on how an athlete is able to attract sponsors through his intrinsic human talents.

Finally, authors have opposed against the 'spirit of sport' as righteous justification for anti-doping policy on basis of the argument that 'winning at all cost', including the use of doping, would just fit perfectly into the scope of the 'spirit of sport'.³⁹ Again, I disagree. At the end of the day, I am convinced that permitting the use of doping, especially after decades of firm policy and research on PEDs, will compromise the ability of athletes to look their fellow competitors in the eye, to be confident of their own performances and to genuinely applaud those of their opponents whereas it will basically leave athletes wild guessing as regards to whether their opponents' performance was built upon intrinsic talents or advanced doping techniques. In essence, this will affect the joy which should be the fundamental reason for engaging in sports anyway. Furthermore, as doping affects the desired uncertainty of the outcome of a competition,⁴⁰ it will make spectators lose confidence in the integrity of the results and, inherently, of sports.⁴¹ Sports is not about winning at all cost, it is about winning fairly without losing integrity. That is, in my view, what the 'spirit of sport' embodies and the WADC rightly points out that doping is fundamentally contrary thereto.⁴²

Conclusively, woven into the preservation of the right to a level playing field and the ethical values of sport, anti-doping policy on an abstract level finds a legitimate objective in maintaining integrity.

2.5. Required considerations

Concurrently, drawing the line is a highly contumacious exercise and one cannot doubt the importance of continuous critical review of specific anti-doping rules provided in the WADC in light of the overarching principle of proportionality. Why are oxygen reduced tents simulating altitude permitted and why is blood boosting prohibited?⁴³ Is the strict liability rule compatible with the presumption of innocence? Can the whereabouts rule

34. Case C-519/04, *Meca Medina v. Commission of the European Communities* [2006] 5 CMLR, para. 45.

35. Cox, N., 'Legalisation of Drug Use in Sport', *International Sports Law Review* 2 (2002), pp. 77-88; Cox, N., 'Towards Principled Justification for Anti-doping Rules in Sport', *Dublin University Law Journal* 22 (2000), pp. 19-49.

36. See also: Hard, M., 'Caught in the Net: Athlete's Rights and the World Anti-Doping Agency', *Southern California Interdisciplinary Law Journal* 19 (2010), pp. 533-564.

37. Savulescu, J., Foddy, B. and Clayton, M., 'Why we should allow performance enhancing drugs in sport', *British Journal of Sports Medicine* 38 (2004), pp. 666-670.

38. *Ibid.*

39. *Ibid.*

40. Pound, W., 'Responses to Corruption in Sport', Play the Game Conference, 3 October 2011, available from www.playthegame.org.

41. Mitchell, George J., 'Report to the Commissioner of Baseball of an Independent Investigation into the Illegal Use of Steroids and other Performance Enhancing Substances by Players in Major League Baseball', 13 December 2007, p. 13; Rosen, D.M., *Dope: A History of Performance Enhancement in Sports From the Nineteenth Century to Today*, Westport: Praeger 2008, p. 116.

42. WADC (2015), p. 14, available from www.wada-ama.org.

43. Hard, M., 'Caught in the Net: Athlete's Rights and the World Anti-Doping Agency', *Southern California Interdisciplinary Law Journal* 19 (2010), pp. 533-564.

be reconciled with privacy rights? Are the principles of natural justice sufficiently safeguarded? In the wake of its adoption, Rigozzi found the WADC to be a step forward in terms of the athlete's fundamental rights.⁴⁴ Afterwards, new well-founded juridical critics on the WADC have emerged⁴⁵ as well as new approaches of the doping challenge, such as Stewards' 'regulated drug-use' approach,⁴⁶ Savulescu et al.'s medical-led approach,⁴⁷ and Anderson's harm reduction model.⁴⁸ Every one of these critical reviews sheds new light on this highly sensitive issue and should keep WADA sharp in terms of drawing the line.

Equally important is the focus on the conditions feeding the occurrence of doping in sports. In that respect, one cannot turn a blind eye to effects of the paramount role of money in professional sport.⁴⁹ It has been brought up that some athletes will continue to 'dope' simply because the risk of being caught does not weigh up to the huge amounts of prize and sponsor money to be gained.⁵⁰ Modern athletes undisputedly depend on the financial input of their sponsors. Sponsors don't often put pressure on athletes to obtain results and it could thereby trigger doping abuse.⁵¹ Whereas morality clauses enable sponsors to quickly distance themselves from a cheating athlete, one could argue that sponsors, given their contribution to a 'win-at-all-cost' mentality, should embrace certain responsibility in the fight against doping. In that respect, Camporesi's thought of imposing responsibility on sponsors for anti-doping violations of their athletes through penalty clauses is not far-fetched.⁵²

3. Institutional corruption

3.1. General

Sports governing bodies are as fond of their autonomy and their inherent capacity of self-regulation⁵³ as they

are reluctant in accepting government interference.⁵⁴ In maintaining that desired level of autonomy governing bodies are able to address most challenges 'through self-regulation respectful of good governance principles'.⁵⁵ The last two decades have exposed that the principles of good governance have not always been respected within (international) sports governing bodies. Most recently, the FIFA is put under severe scrutiny due to allegations of officials having accepted bribes in the bidding process for the 2018 and 2022 World Cups⁵⁶ and the IAAF has come under fire for purported corruptive behaviour of its officials in relation to the doping scandal within the Russian Athletic Federation.⁵⁷ These cases strikingly illustrate that institutional corruption or the misuse of authority for personal or organisational gain⁵⁸ is a great threat to the integrity of sports and reflects a bigger picture of the ethical issue in sports. Simply said, if unethical behaviour is commonplace within sports governing bodies, why should athletes be devoid thereof? Nonetheless, institutional corruption was only sidelong touched upon in the 2016 lectures. As it feels improper to leave this highly important topic to the sports' integrity debate underexposed, I will evaluate several crucial factors contributing to institutional corruption.

3.2. Governance

Flaws in the institutional design of sporting authorities, including the controlling power of member federations over athletes and public authorities, the absence of institutional checks and transparency⁵⁹ and lack of regulatory intervention⁶⁰ provide room for unethical behaviour⁶¹ and, importantly, the rationalisation thereof: corrupting officials may embrace the belief that what they are doing is actually the right thing.⁶² Illustratively, the recent decision of the FIFA Appeal Committee granting Blatter and Platini a ban reduction on basis of their 'activities and

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44. Rigozzi, A., 'Doping and Fundamental Rights of Athletes: Comments in the Wake of the Adoption of the World Anti-Doping Code', 2003.
 45. Anderson, J., 'Doping, Sport and the Law: Time for Repeal of Prohibition?', *International Journal of the Law in Context* 9, issue 2 (2013), pp. 135-159; Tarasti, L., 'Some Juridical Question Marks in the Revised World Anti Doping Code', *International Sports Law Review* 2, issue 3 (2008), pp. 17-23.
 46. Steward, B., 'Another Approach to Drug Control in Professional Sport', *World Sports Law Report* 11, issue 4 (2013).
 47. Savulescu, J., Foddy, B. and Clayton, M., 'Why We Should Allow Performance Enhancing Drugs in Sport', *British Journal of Sports Medicine* 38 (2004), pp. 666-670.
 48. Anderson, J., 'Doping, Sport and the Law: Time for Repeal of Prohibition?', *International Journal of the Law in Context* 9, issue 2 (2013), pp. 135-159.
 49. The Conversation, 28 September 2015, 'Money, Money, Money: Is that what's Causing all that Ails Sports?', available from www.theconversation.com.
 50. Lippi, G., Franchini, M., Guidi, G.C., 'Doping in competition or doping in sport?', *British Medical Bulletin* 86 (2008), pp. 95-107.
 51. Gorse, S. and Chadwick, S., 'Conceptualising Corruption in Sport: Implications for Sponsorship Programmes', *The European Business Review* July/August 2010, available from www.playthegame.org; Cycling News, 16 January 2013, 'Jaksche: Sponsors Must Also Accept their Responsibility for Doping', available from www.cyclingnews.com.
 52. Camporesi, S., *From Bench to Bedside, to Track & Field: The Context of Enhancement and its Ethical Relevance*, San Francisco: University of California Medical Humanities Press 2014 (1st edition).
 53. See *inter alia* Rule 5 of the Olympic Charter.
 54. See *inter alia* Article 13(g) and 17 of the FIFA Statutes.
 55. European Commission, White Paper on Sport, COM(2007)391 final (11 July 2007), p. 13.
 56. De Marco, N., 'After FIFA/IAAF Corruption – It is Time for Institutional Change', *LawInSport*, 14 November 2015.
 57. WADA Independent Commission Report of 14 January 2016 (amended 27 January 2016), available from www.wada-ama.org.
 58. Anand, V., Ashforth, B.E. and Joshi, M., 'Business as Usual: the Acceptance and Perpetuation of Corruption in Organizations', *Academy of Management Executive* 18, issue 2 (2004), pp. 39-53.
 59. Geeraert, A., *Sports Governance Observer 2015. The Legitimacy Crisis in International Sports Governance*, Copenhagen: Play the Game 2015, p. 35, available from www.playthegame.org.
 60. Horne, J. et al., *Understanding Sport: a Socio-cultural Analysis*, New York: Routledge 2016 (2nd edition), p. 155.
 61. Geeraert, A., *Sports Governance Observer 2015. The Legitimacy Crisis in International Sports Governance*, Copenhagen: Play the Game 2015, p. 35, available from www.playthegame.org.
 62. Anand, V., Ashforth, B.E. and Joshi, M., 'Business as Usual: the Acceptance and Perpetuation of Corruption in Organizations', *Academy of Management Executive* 18, issue 2 (2004), pp. 39-53.

services rendered to FIFA, UEFA and football⁶³ adds to the thought that officials' contribution to the respective sport would make unethical behaviour less severe. This seems comparable to what Anand et al. call the appeal to higher loyalties and address as one of the main reasons for the rationalisation of corruption.⁶⁴

Therefore, adopting a code of ethics and installing an ethical body alone are insufficient to genuinely challenge the existence of institutional corruption within international sports federations. Internal codes should be supported by an organisational design that safeguards effective governance with a high-quality system of institutional checks and balances that is built upon responsibility, accountability and transparency.⁶⁵ Importantly, sporting authorities must provide for effective verification procedures of code-compliance⁶⁶ and ensure the protection of 'whistle-blowers' so that officials and employees feel free to come forward.⁶⁷ Reporting mechanisms such as the integrity hotlines installed by IOC, FIFA and UEFA are welcomed. Lastly, sports federations should recognise that they might not be equipped to solve this issue on their own and must seek cooperation with external law enforcement.⁶⁸ In that respect, I very much feel for the thought of establishing a 'WADA-like' institutionally and financially independent regulatory body with separate powers from the administration and which is supported by national public authorities.⁶⁹

3.3. Female representation

Sports administration is still very much a man's world as men dominate the executive positions of international sports federations. The IOC has fifteen executives of whom only four are women.⁷⁰ FIFA's Executive Committee consists of over twenty members. Just two of them are female.⁷¹ IAAF proudly guarantees a minimum of six fe-

male members in its Council,⁷² but that does not cover up the truth of the matter that its female members are severely underrepresented.⁷³ It is undeniable that the executive bodies of the largest international sports federations are mainly controlled by men. Multiple studies show that women are less likely to corrupt themselves than men⁷⁴ whereas no studies support the opposite.⁷⁵ Increase of female participation and representation is already desired for equality reasons but will likely also lead to a reduction of corruption.⁷⁶

In view of the little progress being made in that respect, for example at FIFA⁷⁷ and IOC,⁷⁸ the imbalance is still considerable, especially at the top of the governance pyramid. A female representation of fifty per cent in the executive bodies of sports federations does right to the important role that women can play in sports and is achievable if, as Woods explains, sports governing bodies are willing to look beyond the borders of the sports to encourage and attract competent women for their executive positions.⁷⁹ Importantly, there should be sufficient incentive for governing bodies to achieve gender-based targets. Given the financial dependence of most sports, applying funding implications seems an effective way to increase that incentive.⁸⁰

3.4. Economic incentives

Finally, officials probably engage in corruptive behaviour weighing the benefit-risk ratio of financial gain versus the chance of getting caught and subsequent repercussions. From an economical perspective, Maennig explains that illicit behaviour will come about when the expected 'net utility' exceeds the 'individual disutility'.⁸¹ Creating a mechanism that on one hand, increases the 'costs' of corruption and introduces tougher penalties for officials engaging in corruptive behaviour and on the other, provides officials with greater financial compensation for

63. 'Sepp Blatter & Michel Platini Lose Fifa Appeals but Bans Reduced', BBC, 24 February 2016.

64. Anand, V., Ashforth, B.E. and Joshi, M., 'Business as Usual: the Acceptance and Perpetuation of Corruption in Organizations', *Academy of Management Executive* 18, issue 2 (2004), pp. 39-53.

65. Geeraert, A., *Sports Governance Observer 2015. The Legitimacy Crisis in International Sports Governance*, Copenhagen: Play the Game 2015, p. 35, available from www.playthegame.org; Council of Europe Parliamentary Assembly, 'The legitimacy crisis in international sports governance', Motion for Resolution of 27 January 2016, Doc.13963.

66. Anand, V., Ashforth, B.E. and Joshi, M., 'Business as Usual: the Acceptance and Perpetuation of Corruption in Organizations', *Academy of Management Executive* 18, issue 2 (2004), pp. 39-53.

67. Smith, A.H.A., 'Whistleblowing in sport – Part 1: Maintaining Public Confidence in the Integrity of Sport', *LawInSport*, 15 December 2014; De Marco, N., 'After FIFA/IAAF corruption – It is Time for Institutional Change', *LawInSport*, 14 November 2015.

68. Howman, D., 'Supporting the Integrity of Sport and Combating Corruption', *Marquette Sports Law review* 23, issue 2 (2013), pp. 245-248.

69. Horne, J. et al., *Understanding Sport: a Socio-cultural Analysis*, New York: Routledge 2016 (2nd edition), p. 155; De Marco, N., 'After FIFA/IAAF Corruption – It is Time for Institutional Change', *LawInSport*, 14 November 2015.

70. See www.olympic.org/executive-board.

71. See www.fifa.com/about-fifa/committees/committee=1882019/index.html.

72. Article 6(4) IAAF Constitution.

73. See www.iaaf.org/about-iaaf/structure/council.

74. Swamy, A. et al., *Gender and Corruption*, Williamstown: Williams College Center for Development Economics 2000, available from www.researchgate.net.

75. Serra, D. et al., *New Advances in Experimental Research on Corruption*, Bingley: Emerald Group Publishing 2012.

76. Serra, D. et al., *Understanding Sport: a Socio-cultural Analysis*, New York: Routledge 2016 (2nd edition), p. 155; Dollar, D. et al., *Are Women Really the 'Fairer' Sex? Corruption and Women in Government*, The World Bank Development Research Group, October 1999, available from www.researchgate.net.

77. FIFA, Gender inclusiveness in football governance, available from www.fifa.com. See also www.fifa.com/governance/how-fifa-works/the-reform-process.html.

78. See www.olympic.org/news/olympic-agenda-2020-triggers-significant-changes-to-ioc-commissions-president-bach-nominates-more-women-and-broader-geographical-representation/246159.

79. Woods, L., 'Women in sport: how do we balance the boardrooms', *LawInSport*, 15 September 2014.

80. Ibid.

81. Maennig, W., 'Corruption in International Sports and How it May be Combated', IASE/NAASE Working Paper Series, Paper No. 08-13, available at college.holy-cross.edu/RePEc/spe/Maennig_Corruption.pdf.

their performance, must, as both Maennig and Anand et al. have argued, contribute to an economic balance of corruption that generally favours non-corruptive behaviour.⁸²

4. Betting-related corruption

4.1. General

With the continuous growth of the betting industry, betting-related corruption in sports is said to beat doping in being the greatest threat to sports' integrity.⁸³ Undoubtedly, it has that potential given its key element of deliberately underperforming with the purpose of directly affecting or diluting the uncertainty of the outcome of sports in exchange for (illegal) personal gain.⁸⁴ Removing 'outcome uncertainty' will make sports a charade and affect both the interest of spectators and the joy of its participants.⁸⁵

4.2. Definition

Generally sporting authorities wish to abolish any forms of attempts of participants to 'influence the elements of a competition in a manner contrary to sporting ethics'.⁸⁶ The awareness that every country and every type of sport may be susceptible to betting-related manipulation and the concern about the involvement of criminal activities triggered responses from governments and sporting authorities.⁸⁷ The UK Government has shown particular progressiveness in the area through its 2005 Gambling Act and the subsequent establishment of the Gambling Commission and the Sports Betting Intelligence Unit.⁸⁸

At international level, the 2014 Council of Europe Convention on the Manipulation of Sports Competition (the Convention)⁸⁹ and IOC's Olympic Movement Code of the Prevention of the Manipulation of Competitions (the Olympic Code)⁹⁰ can be seen as significant legal instruments in the global fight against betting-related sports manipulation.⁹¹ Individual sports governing bodies also adopted rules and regulation in order to prevent betting-related corruption.⁹²

Four main categories of betting-related corruption can be separated: (i) manipulating the outcome of a sports match (match-fixing),⁹³ (ii) manipulating an individual incident within the game (spot-fixing),⁹⁴ (iii) using or disclosing inside information for the purpose of betting⁹⁵ and (iv) participants betting in relation to his own sport or (multi-sport) competition in which he participates.⁹⁶ Other unwanted behaviour includes (v) providing, requesting, seeking or accepting a benefit related to manipulation or corruption,⁹⁷ (vi) the participants' failure to report illicit approaches or invitations or other relevant facts or matters⁹⁸ and (vii) the failure to cooperate with investigations into manipulation.⁹⁹

4.3. Scope of the matter

Betting-related manipulation has mostly been linked to cricket, horseracing, tennis and football due to the great liquidity of the betting market in these sports.¹⁰⁰

Deliberately underperforming and losing games for betting purposes took hold of the game of cricket as from the 1970s and onwards, but the cricket sport has shown

82. Wilson, J.K. and Pomfret, R., *Public Policy and Professional Sports*, Cheltenham: Edward Elgar Publishing Limited 2014, pp. 133-136.

83. Serby, T., 'Gambling Related Match-fixing: a Terminal Threat to the Integrity of Sports?', *International Sports Law Journal* issue 1-2 (2012), pp. 7-12.

84. See Article 2.2 of the Olympic Movement Code on the Prevention of the Manipulation of Competitions.

85. Ibid.

86. SportAccord Model Rules on Sports Integrity in relation to Sports Betting, Regulations on participants' betting activities, para. 1.

87. Preamble to the Council of Europe Convention on the Manipulation of Sports Competitions, Treaty No. 215, available from www.conventions.coe.int.

88. Serby, T., 'Gambling Related Match-fixing: a Terminal Threat to the Integrity of Sports?', *International Sports Law Journal* issue 1-2 (2012), pp. 7-12.

89. Council of Europe Convention on the Manipulation of Sports Competitions, Treaty No. 215, available from www.conventions.coe.int.

90. Olympic Movement Code of the Prevention of the Manipulation of Competitions, approved by the IOC Executive Board on 8 December 2015.

91. Carpenter, K., 'Combating Match-fixing in Sport – a Guide to the Council of Europe's Convention on the Manipulation of Sports Competitions', *LawInSport*, 6 October 2014.

92. See i.a. International Cricket Council Anti-Corruption Code; World Rugby Anti-Corruption and Betting Regulation. See also: Article 25 FIFA Code of Ethics; Article 50.3 UEFA Statutes; Article 4.02 UEFA Champions League Regulations; Article 4.03 UEFA Europa League Regulations; Article 12 UEFA Disciplinary Regulations; Article 8.02 H.1 and Article 8.05 ATP Rulebook.

93. See also Article 2.2. Olympic Code.

94. Ibid.

95. See also Article 2.4 Olympic Code.

96. See also Article 2.1 Olympic Code.

97. Article 2.3 Olympic Code.

98. Article 2.5 Olympic Code.

99. Article 2.6 Olympic Code.

100. Lewis & Taylor, para. B2.11.

to be particularly amenable to 'spot-fixing' as every single aspect of a cricket match can be and is bet upon.¹⁰¹ Pursuant to the 2001 Condon Report on Corruption in International Cricket, the ICC¹⁰² established an Anti-Corruption and Security Unit and adopted an Anti-Corruption Code. Nevertheless, the problem has not gone away¹⁰³ as several corruption cases in cricket have emerged ever since, such as the Pakistani spot-fixing cases of *Kaneria*,¹⁰⁴ *Butt*¹⁰⁵ and *Asif*,¹⁰⁶ the Rajasthan Royals scandal¹⁰⁷ and, most recently, the *Warnaweera* case.¹⁰⁸

Horsereading was created for the very purpose of betting and the sport is being protected as betting product which obviously makes it particularly susceptible to betting-related corruption. Corruption of racing was mainly exposed in 2002¹⁰⁹ after which the BHA¹¹⁰ dealt with several high-profile corruption cases.¹¹¹ Nowadays, the BHA has developed a rather advanced approach to betting-related corruption. The suspension of jockey Michael Stainton for not running his horse Ad Vitam on its merits in breach of the BHA Race Manual¹¹² demonstrates, however, that betting-related corruption in horseracing is still of this age.¹¹³

Reports of irregular betting on tennis matches have arisen as from 2003 and unusual betting patterns relating to a 2007 match between Davydenko and Vassall¹¹⁴ prompted the ATP¹¹⁵ to establish a commission of inquiry that found twenty-seven accounts of patterns of suspected betting activity in tennis.¹¹⁶ Pursuantly, the Tennis

Integrity Unit¹¹⁷ was established and an Anti-Corruption section was added to the ATP Rulebook.¹¹⁸ Over the years, several cases have emerged relating to tennis players being fined or suspended for betting on their own matches or those of other players.¹¹⁹ Very recently, the sport was again embarrassed due to the BBC exposing the widespread occurrence of match-fixing at top level tennis and the involvement of top fifty players, even Grand Slam title winners.¹²⁰

Professional football, which accounts for a substantial part of legal and illegal sports betting world wide,¹²¹ has not been immune to betting-related corruption either. Think of the allegations of match-fixing involving the World Cup of 2006,¹²² the 'fixing' referee Hoyzer,¹²³ the Turkish match-fixing conspiracy¹²⁴ that led to the temporary exclusion of Besiktas and Fenerbahce from the Champions League and Europa League competitions,¹²⁵ the series of match-fixing scandals across Africa and Asia¹²⁶ and referee Oriekhov who failed to report illicit approaches.¹²⁷ A new case emerged as the Dutch Football Association confirmed it has conclusive evidence of attempted match-fixing in its highest football division.¹²⁸ This series of events illustrate that football is highly afflicted with the 'match-fixing' problem.

Betting-related corruption is, however, not confined to cricket, horseracing, tennis and football. A wide range of other sports have shown to be tangled into the problem to a certain degree. Badminton, boxing,¹²⁹ basketball,

101. Lord Paul Condon, *Report on Corruption in International Cricket*, April 2001, p. 28-33, available at www.scoop.co.nz/stories/WO0105/S00039/report-on-corruption-in-international-cricket.htm.

102. International Cricket Council.

103. De Speville, B., *A Review of the Anti-Corruption Arrangements of the International Cricket Council*, 2011, p. 2, available at icc-live.s3.amazonaws.com/cms/media/about_docs/518a834f6e4a0-Bertrand%20de%20Speville%20Report%20-%20A%20Review%20of%20the%20Anti-Corruption%20Arrangements%20of%20the%20ICC.pdf.

104. Appeal Panel Determination of May 2013, *Kaneria v. English Cricket Board*.

105. CAS 2011/A/2364, *Salman Butt v. International Cricket Council*.

106. CAS 2011/A/2362, *Mohammad Asif v. International Cricket Council*.

107. Singh, S., 'A Review of the IPL and BCCI Spot-fixing Scandal – Governance, Corruption and Reform', *LawInSport*, 2 December 2015.

108. ICC Decision of 19 January 2016, *Warnaweera v. International Cricket Council*, available at pulse-static-files.s3.amazonaws.com/ICC/document/2016/12/16/14dbbb37-5f77-424a-a30a-41f17615c49c/Decision-of-ICC-in-the-matter-of-KPJ-Warnaweera.pdf.

109. 'Panorama exposes "corruption of racing"', BBC, 6 October 2002.

110. British Horseracing Authority.

111. See i.a. Jockey Club Disciplinary Panel decision dated 28 September 2005, *Jockey Club v. Gary Carter*; HRA Disciplinary Panel decision 10 April 2007, *HRA v. Kelly et al.*

112. Requirement 58 of BHA Race Manual (B).

113. BHA Disciplinary Panel decision of 12 October 2015, *BHA v. Michael Stainton*.

114. McLaren, R.H., 'Corruption: its Impact on Fair Play', *Marquette Sports Law Review* 19, issue 1 (2008), pp.15-38.

115. Association of Tennis Professionals.

116. Gunn, B. and Rees, J., *Environmental Review of Integrity in Professional Tennis*, available from www.sportingintelligence.com, p. 22-36.

117. McLaren, R.H., 'Corruption: its Impact on Fair Play', *Marquette Sports Law Review* 19, issue 1 (2008), pp.15-38.

118. Article 8.05 ATP Rulebook.

119. See i.a. CAS 2007/A/1427, *Alessio Di Mauro v. ATP*; CAS 2008/A/1529, *Federico Luzzi v. ATP*; CAS 2008/A/1630, *Mathieu Montcourt v. ATP*; CAS 2011/A/2490, *Daniel Köllerer v. ATP*.

120. 'Tennis match fixing: Evidence of Suspected Match Fixing Revealed', BBC, 18 January 2016, available from www.bbc.com.

121. Lewis & Taylor, para. B2.11, n. 1.

122. 'Match-fixing: How 2006 World Cup Fell Prey to Organised Crime', *The Telegraph* 25 October 2008, available from www.telegraph.co.uk.

123. 'Two Years in Jail for German Match-fixing Referee', *The Guardian* 18 November 2005, available from www.theguardian.com.

124. 'Believe Nothing in Turkish Football – it is Rotten to the Core and Nobody Will Act', *Sporting Intelligence*, 18 March 2014, available from www.sportingintelligence.com.

125. CAS 2013/A/3258, *Besiktas v. UEFA*; CAS 2013/A/3256, *Fenerbahce v. UEFA*.

126. 'Zimbabwe Suspends 80 Footballers as Part of "Asiagate" Match-fixing Probe', *The Guardian* 1 February 2012, available from www.theguardian.com.

127. CAS 2010/A/2172, *Oriekhov v. UEFA*.

128. 'Dutch Football Alleges First Case of Attempted Match-fixing', *The Guardian* 15 February 2016, available from www.theguardian.com.

129. McLaren, R.H., 'Corruption: its Impact on Fair Play', *Marquette Sports Law Review* 19, issue 1 (2008), pp.15-38.

snooker and sumo wrestling¹³⁰ have all been linked to this form of manipulation.

In my view, there is no denying that betting-related corruption in sports is real, widespread and one of the biggest threats that sports regulators face in keeping their sports ethical.

4.4. Effective response

BHA's current approach towards betting-related corruption consists of six key areas:¹³¹ clear rules and regulations,¹³² licensing of participants, effective investigation and intelligence capability, robust disciplinary structures, a comprehensive on-going education programme and partnership with the betting industry, the Gambling Commission and the police.

I believe that the BHA adopted the right focus. Research indicates that an effective response to the 'match-fixing' problem should aim at providing a clear set of rules, the prevention and detection of conduct that is non-compliant to those rules and education.¹³³ Detection of betting-related corruption requires effective investigation and intelligence.¹³⁴ Given the increasing role of criminal organisations¹³⁵ partnerships between law enforcement authorities, sports regulators and betting operators are inevitable.¹³⁶ Sports regulators are further encouraged to apply effective and proportionate disciplinary sanctions specifically tailored to manipulations of sports competitions¹³⁷ in order to demonstrate zero-tolerance in that respect.¹³⁸

In practice, the foregoing seems widely supported by sports regulators.

Most sports regulators have adopted anti-corruption rules or codes and I very much welcome initiatives aiming to unify those rules, such as the Olympic Code. Creating a uniform set of anti-corruption rules at least setting the minimum standards is in my view an important aspect of the educational function of sports regulators towards their participants and officials in terms of

awareness of forbidden conduct and subsequent repercussions. Several governing bodies, including the UEFA,¹³⁹ ICC¹⁴⁰ and World Rugby¹⁴¹ have also launched education and e-learning programmes to increase this awareness and provide guidelines as to how to prevent manipulation.

Furthermore, numerous sports regulators have established their own integrity units. Other sports governing bodies have put in place early warning systems to monitor betting on matches¹⁴² and the Convention places the obligation on its Member States to facilitate exchange of information between public authorities, sports organisations, the betting industry and national platforms.¹⁴³ Sports regulators also seem to recognise the key role of public authorities in enabling the criminal sanctioning of criminal activity involved in betting-related manipulation in sports¹⁴⁴ and providing protection for 'whistle-blowers'.¹⁴⁵ Besides, public authorities have lent an investigatory hand in the fight against match-fixing by exchanging information with sports regulators and the betting industry. A good example of a thorough cooperation between a sports regulator and law enforcement authorities was the joint initiative entered into by FIFA and Interpol with FIFA contributing funding for Interpol's Integrity in Sports Programme. Ironically, Interpol has suspended this agreement due to the FBI investigations into corruption within FIFA itself.¹⁴⁶

In their righteous fight against betting-related corruption, sports regulators will probably do everything in their power to abolish this threat. However, legal justification of their practical approach is key to an effective response. In that respect, sports regulators cannot afford to lose their sensitivity in terms of observing human rights and the overriding principles of legality and proportionality.¹⁴⁷

5. Financial integrity

Looking back at the above, matters of integrity seem almost inseparable from the financial component of pro-

130. Carpenter, K., 'Match-Fixing – The Biggest Threat to Sport in the 21st Century?', *International Sports Law Review* issue 2 (2012), pp. 13-24.

131. Brickel, Adam (Director of Integrity, Legal & Risk of British Horseracing Authority), 'Integrity in Sport, Betting & Match-Fixing', London Lecture of 21 January 2016.

132. See i.a. Requirements 36-41 of the BHA General Manual (A) and Requirement 58 of BHA Race Manual (B).

133. ESSA Sports Betting Integrity, *Examination of Threats to Integrity of Sports*, Oxford Research A/S, April 2010, Section 5.

134. Carpenter, K., 'Match-Fixing – The Biggest Threat to Sport in the 21st Century?', *International Sports Law Review* issue 2 (2012), pp. 13-24.

135. Carpenter, K., 'Match-Fixing – The Biggest Threat to Sport in the 21st Century?', *International Sports Law Review* issue 2 (2012), pp. 13-24.

136. See Navracscics, Tibor (Commissioner for Education, Culture, Youth and Sport European Commission), in: ESSA Sports Betting Integrity, *Q3 2015 Integrity Report*, available from www.eu-ssa.org.

137. Article 7(3) of the Convention.

138. CAS 2010/A/2172, para. 80, *Oriekhov v. UEFA*.

139. See www.uefa.org/protecting-the-game/integrity/news/newsid=2185621.html.

140. See www.icc-cricket.com/about/46/anti-corruption/overview.

141. See integrity.worldrugby.org/index.php?&language=en.

142. See www.fifa.com/about-fifa/news/y=2014/m=1/news=fifa-early-warning-system-ews-2261080.html.

143. Article 12 of the Convention.

144. Article 15 of the Convention.

145. Article 21 of the Convention.

146. See www.interpol.int/Crime-areas/Integrity-in-Sport/Integrity-in-sport.

147. Article 2 of the Convention.

fessional sports. Success has proved to be a great income generator in sports and the access to financial means could lead to more success.¹⁴⁸ The potential return on investment in sports has created a breeding ground for increased risk-taking.¹⁴⁹

Focusing on European football, an industry of tens of billions, multiple regulations have been adopted by sporting authorities to address financial challenges, mostly through imposing financial license requirements on clubs. The UEFA Club Licensing and Financial Fair Play Regulations (FFPR), for example, include financial criteria that are focused on transparency via financial reporting and statement requirements and the obligation for clubs to prove that they do not have any overdue payables towards football clubs, employees or social/tax authorities.¹⁵⁰

Furthermore, clubs that wish to participate in UEFA Club Competitions in a certain season must show that their financial results in the three prior seasons meet the break-even requirement provided in the FFPR.¹⁵¹ This requirement is met when a clubs' relevant income exceeds its expenses¹⁵² provided that (i) a loss of less than €5 million is deemed an 'acceptable deviation' and (ii) a loss up to a maximum of €30 million may be covered by contributions of equity participants or related parties.¹⁵³ UEFA introduced these cost control measures to improve the financial capability, transparency and credibility of clubs, to make sure that clubs settle their liabilities, to introduce more discipline and rationality in football finances and to protect the long-term viability and sustainability of European football through responsible spending.¹⁵⁴ Compliance is being monitored by the UEFA Club Financial Control Body¹⁵⁵ which can impose severe disciplinary sanctions on clubs breaching the FFPR. Illustratively, Turkish club Galatasaray has recently been suspended by UEFA from European competitions for a year due to breaching the regulations on allowed losses.¹⁵⁶

Although the FFPR have been openly supported by the European Commission¹⁵⁷ and UEFA claims that its financial rules are paying off,¹⁵⁸ it is questionable whether the FFPR are achieving their goals of the financial viability of clubs and thus whether the FFPR are necessary in light of a legitimate objective and will stand the overriding proportionality test¹⁵⁹ as was subject to the *Striani* challenge that was held inadmissible before the ECJ.¹⁶⁰ In critically evaluating the effectiveness of the FFPR, one cannot ignore Andrews' and Harrington's very recent and extensive Working Paper on football's financial integrity weaknesses published by Harvard University.¹⁶¹ Andrews and Harrington define financial integrity as 'being sound, whole, reliable and sustainable, fair and principled, responsible and morally upright in financial structures, transactions and relationships' and distinguish five pillars of financial integrity in football: (i) transparency and literacy, (ii) sustainability, (iii) fiscal responsibility, (iv) financial concentration and (v) social responsibility and moral reputation. Approximately five years after the introduction of the FFPR, Andrews and Harrington come to the conclusion that the vast majority of clubs, associations and confederations are still dark spaces in terms of transparency and of 'high risk' to financial integrity, football's financial sustainability appears weak and football's social responsibility and moral reputation even weaker.¹⁶² Bearing these conclusions in mind, the standing point that the FFPR are achieving their objectives can in my view hardly be supported. Therefore, there is much reason to encourage a revision of UEFA's financial integrity policy and to examine the (legal) viability and desirability of alternative solutions.

In particular the viability of a collective bargaining system including fixed salary caps may be examined, a system that is far from customary in Europe but has been commonplace in American sports from the 1960s. Multiple scholars have reviewed this system as desirable¹⁶³ and to be able to overcome legal challenges.¹⁶⁴ Other than that it would completely overhaul the established system in (European) football, I do not see any reason

148. Lewis & Taylor, para. B.3.3.

149. *Ibid.*, para. B.3.4.

150. Articles 46bis-52 UEFA Club Licensing and Financial Fair Play Regulations.

151. Articles 58-64 UEFA Club Licensing and Financial Fair Play Regulations.

152. Article 63(1) UEFA Club Licensing and Financial Fair Play Regulations.

153. Article 61(2) UEFA Club Licensing and Financial Fair Play Regulations.

154. Article 2(2) UEFA Club Licensing and Financial Fair Play Regulations.

155. Article 53 UEFA Club Licensing and Financial Fair Play Regulations.

156. 'Galatasaray given European ban for breach of financial fair play', BBC, 2 maart 2016, available from www.bbc.com.

157. Joint Statement of the European Commission and UEFA of 21 March 2012, available at ec.europa.eu/competition/sectors/sports/joint_statement_en.pdf.

158. See www.uefa.org/mediaservices/newsid=2267061.html.

159. Lynam, Ian (Partner, Joint Head of Sport, Charles Russel Speechlys), 'Financial Regulation in Sport: Salary Caps and Financial Fair Play', London Lecture 4 February 2016 (Charles Russel Speechlys offices).

160. Case C-299/15, ECLI:EU:C:2015:519, *Striani v. UEFA and URBSFA*.

161. Andrews, M. and Harrington, P., *Off Pitch: Football's Financial Integrity Weaknesses, and How to Strengthen them*, Cambridge, MA: Center for International Development at Harvard University, Working Paper No. 311, January 2016.

162. *Ibid.*, pp. 4-9.

163. See Insley, H.R., 'Major league umpires association: is collective bargaining the answer to or the problem in the contractual relationships of professional sports today?', *Capital University Law Review* 29, issue 2 (2001), pp. 601-624; Berry, R.C. and Gould, W.B., 'A Long Deep Drive to Collective Bargaining: Of Players, Owners, Brawls, and Strikes', *Case Western Reserve Law Review* 31, issue 4 (1981), pp. 685-813; Joklik, A., 'The Legal Status of Professional Athletes: Differences Between the United States and the European Union Concerning Free Agency', *Sports Lawyers Journal* 11 (2004), pp. 223-256.

164. Pannet, D., 'Collective bargaining in sport: challenges and benefits', *UCL Journal of Law and Jurisprudence* 4, issue 1 (2015), pp. 189-217.

for UEFA not to take learning from cost control examples provided across the Atlantic.

6. Concluding remarks

The challenges of integrity addressed are all but self-standing and seem to require comparable responses. Bearing that in mind, the different angles on different forms of corruption in sports support the idea that a consistent global approach is recommendable. Key elements of such an approach should in my view involve:

1. Reforming sports governing bodies into organisational structures with separation of administrative and regulatory powers¹⁶⁵ that effectively safeguard full transparency, accountability for bad governance, and the protection of whistle-blowers.
2. Establishing an overarching integrity regulator with authority on the major integrity issues in global sports, which is separated from sports administration, has separate investigative and judicial rights and powers and is financially independent.¹⁶⁶
3. Seeking active cooperation with governments and law enforcement in terms of investigating and prosecuting corruption in sports¹⁶⁷ and recognising that the sports movement is not capable of dealing herewith on its own.¹⁶⁸
4. Continuously educating officials, participants and sports administrators on prohibited or undesired conduct, the impact thereof on sports and the potential repercussions.
5. Diluting the economic incentives of and creating sponsor responsibility for unethical behaviour.¹⁶⁹

It is clear to me that sports regulators cannot permit themselves to stay 'safe' within the boundaries of their respective sports if they want keep their sports ethical. They are required to continuously look well beyond borders by learning not only from each other, but also from other industries, other countries or continents and their public authorities. In return, they should be ready to share their own experiences and approaches. After all, the fight against unethical behaviour in sports calls for a joint effort.

165. De Marco, N., 'After FIFA/IAAF corruption – It is time for institutional change', *LawInSport*, 14 November 2015.

166. De Marco, N., 'After FIFA/IAAF corruption – It is time for institutional change', *LawInSport*, 14 November 2015; Smith, I., 'Corruption in sport – Why a global problem requires a global solution', *LawInSport*, 8 October 2015.

167. Smith, I., 'Corruption in sport – Why a global problem requires a global solution', *LawInSport*, 8 October 2015; Howman, D., 'Supporting the integrity of sport and combating corruption', *Marquette Sports Law review* 23, issue 2 (2013), pp. 245-248.

168. Howman, D., 'Supporting the integrity of sport and combating corruption', *Marquette Sports Law review* 23, issue 2 (2013), pp. 245-248.

169. Cooper, A., 'FIFA: navigating a marsh of morality with a broken compass', *Coventry Law Journal* 19, issue 2 (2014), pp. 51-64; Chadwick, S., 'Corruption in sport: market-driven morality', *The Economist* 22 April 2013, available from www.economist.com.