This case study provides opportunity to examine alleged unethical behavior in a high profile professional sport, and an associated international sporting event. The case focuses, in general, on notions of inappropriate workplace behavior, disregard of workplace ethics and codes of behavior, specifically relating to sporting conduct and the written and unwritten laws of the game of cricket. In particular, it relates to members of a national cricket team involved in a coordinated spot fixing scandal. The case also provides opportunity to discuss the impact and relevance of context when assessing the behavior of professionals in sport and business.

KEYWORDS: sport, spot fixing, gambling, ethical behavior, moral ethos, stakeholder analysis, governance, risk management, crisis management.

INTRODUCTION

Unethical behavior in the workplace has become a common concern for many organizations operating in the private, public and not-for-profit sectors. This case study provides opportunity to examine alleged unethical behavior in the sport sector, a high profile global professional sport, and an associated high profile international sporting event. The case focuses, in general, on notions of inappropriate workplace behavior, disregard of workplace ethics and codes of behavior, specifically relating to sporting conduct and the written and unwritten laws of the game of cricket. In particular, it relates to members of the Pakistan national cricket team involved in a coordinated spot fixing scandal. The case can be used to explore issues of moral and ethical behavior of professionals in sport and business; the threat posed by episodes of unethical behavior to the integrity of the organization or its core products/activities; the industry; the consequential adverse impact on stakeholder relationships; the role of employer, regulatory or governing bodies in setting standards and policing behavior, and the role conflict arising from overlapping jurisdictional boundaries and governance responsibilities. The case also provides opportunity to discuss the impact and relevance of context when assessing the behavior of professionals in sport and business.

The case requires attention on stakeholder analysis as an underpinning to broader risk, crisis management and relationship management issues relating to two phases of the case. The first phase relates to the early months of what transpired to be more than a year of media glare and uncertainty for the sport industry, in dealing with the aftermath of initial revelations of spot-fixing. The second phase provides opportunity for longer term considerations of a need to respond strategically to the growing pervasiveness of gambling in sport, and the need for player education.
BACKGROUND

Cricket – A Global Sport

Cricket is a global sport with particular links to countries within the former British Empire, and now the Commonwealth. In particular, cricket has grown from being a sport introduced and played mainly by expatriate British citizens during the colonial era, to being a sport that has permeated the hearts and minds of sport-minded people in Australia, New Zealand and South Africa, and which consumes society in India, Pakistan, Bangladesh, Sri Lanka and the West Indies.

Its traditions, values and rivalries date back more than a century, and endure and mutually reinforce each other to feed an interest in the sport which has made it a billion dollar industry. Indeed, on the back of such rivalries and new global competitions, developments in media and satellite technology have made the elite game a media spectacle, promoting media coverage that has made the elite game a pervasive and ever-present feature of broadcasting.

Despite the pressures that arise in highly contested and potentially lucrative competition, the values that infuse the playing of the game have been absorbed into many cultures, where phrases like “That’s just not cricket!” are understood to convey a view that the unwritten rules of fair play have been broken.

The advances and strength of the global game have been underpinned by a unified and unifying governance structure manifest in its governing body, the International Cricket Council (ICC). It has grown in authority as it has masterminded sponsorship and media rights deals for its elite competitions such as the ICC Champions Trophy and the Cricket World Cups for the respective ODI and Twenty20 versions of the game.

At the same time, the axis of financial and political power within the ICC has shifted away from the traditional financial powerhouses of England, Australia and South Africa to the Asian sub-continent, where fanatical support for the game has not only underpinned the rise in value of media and sponsorship rights for the game worldwide, but made India the richest and most powerful player in the politics of world cricket and in the organization of the professional game.

Global Competition

Elite competition takes place between representative national teams in different forms of cricket which can be played over five days in what are known as Test Matches or Tests, or in shorter versions of the game that can be played as One-Day-Internationals (ODIs), or what has been marketed as the Twenty20 version of the game lasting 3-4 hours. In most countries, the elite national representative players will be professional athletes on central contracts to the national governing bodies, for example, the England and Wales Cricket Board (E&WCB), the Pakistan Cricket Board (PCB), the Board of Control for Cricket in India (BCCI), Cricket Australia (CA) etc, but such professional players are also likely to have subsidiary contracts to play for their local semi-professional state, county or provincial representative teams, or since 2008, as contracted professionals for franchise teams in the Indian Premier League (IPL) Twenty20 Series. Some players will also be contracted to play for club sides, which are otherwise amateur, at a lower level. The vast majority of cricketers will play for the love of the game, and do so in the amateur ranks, where all players first play the game for their school or club teams, before they gain recognition and selection for more elite teams.

India’s inventiveness in responding to, and taking advantage of the huge popularity of cricket and of its star players, has been much evident, especially in the way that the BCCI created a vehicle to attract further funds to the game, by setting up franchise teams to compete in the IPL Twenty20 Series, and then auctioning franchise rights to those teams. These teams then bid at auction to secure the playing services of the world’s best cricketers who eagerly await the outcome of bids.
for their services – where player contracts for the initial six week competition in April/May 2008, started at US$100k and rose to well over US$1.5m. Playing on the sub-continent was, overnight, a most desirable place to play cricket for Australian, English, South African and West Indian cricketers! India’s inventiveness also provided a seedbed for a growing illegal gambling industry, with impact well beyond the sub-continent!

Pakistan had returned to Test cricket in 2009 after a year’s absence following fears of player safety amid political turmoil in the country. In that year, despite great joy at being allowed to play test match cricket again, despite the prospect of being involved in the ICC Cricket World Cup, with some fourteen matches being hosted within Pakistan, the test series versus Sri Lanka was first disrupted and abandoned following a terror attack on buses containing the Sri Lankan cricket players and officials. The subsequent ban on test matches being played in Pakistan was a great blow to Pakistani cricket fans, and the absence of top players as role models was seen as a threat to the recruitment of children to the sport, and to the development of the game in Pakistan. Later ICC authorization for Pakistan’s “home” tests to be played in Sharjah in the United Arab Emirates where there was a large contingent of Indian, Pakistani and Bangladeshi foreign workers and cricket followers, together with ICC sanctioning of a tour to England, meant that Pakistan could temporarily put its problems aside and concentrate on development and playing of the game. The tour of England provided such opportunities.

**Cricket Tours and the Cricket Culture**

Cricket tours have long been part of the cricketing culture, especially at the elite national representative level. The initial and rapid development of cricket throughout the countries of the British Empire was boosted by interest in competition between national representative teams – eg England v Australia. Indeed, cricket was amongst the first team sports to institute matches between nations – so called *International* or *Test Matches*. However, the huge distances travelled to other continents demanded that many matches be played in front of paying spectators to fund the huge cost of travel. As a consequence, most tours were constructed around a series of Test Matches – a *Test Series*, plus other matches against individual states or provinces. Such tours to Australia could last six months with six to eight weeks travel by ship and three to four months of touring matches. At the time, cricket was an amateur game, with touring teams led by, and mainly comprising gentlemen of means and wealth, for whom participation and fair play reflected the amateur ethos.

By the early 1970s, the elite game was mainly professional, travel had been facilitated by air travel, but tours continued, albeit in a shorter form. Global ball-by-ball media coverage, reflected global interest in the game, and the accompanying media rights revenues facilitated the development of the elite professional game in different forms to cater for different spectator and viewer interests. For example, whilst the prior focus had been mainly on five match Test Matches, each lasting up to five or six days, shorter versions of the game were also developed to be played in either a one-day format, or an afternoon or evening format.

It is in this context that the Pakistan national cricket team tour of England (and Wales) took place during July/August 2010. The tour schedule comprised a series of four five-day *Test Matches*, a series of five *One-Day-Internationals* (ODIs) and an additional series of five *Twenty20s* (T20s) matches held at various venues in England and Wales. Every single moment of these matches were covered by media, amounting to about fifty hours of direct live coverage, supplement by pre- and post-match events, and the inevitable replay and highlights packages – across the globe. It is not surprising that players had become big stars on a big stage.
England were leading the four match test series 2-1 and it was in the fourth test match that questions began to surface regarding Pakistan's erratic performance - at batting, bowling and fielding. Questions were mostly couched in terms of the unusual number of no-balls: being bowled, or in terms of whether the Pakistani bowlers were over-stepping the line in a literal or metaphorical sense. And of course, conspiracy theorists were happy to associate any unusual occurrences of events with potential spot fixing.

Indeed, online commentary of the fourth test by the ESPNcricinfo website described the no-balls as 'enormous and a good half a metre over the line', inducing suspicion about whether the no-balls were in fact deliberate (ESPNcricinfo, 2010a).

Under any circumstances, the deliberate bowling of no-balls to gain an advantage on the cricket field would be frowned upon as unfair practice. The association of the fair play ethos now extends well beyond the boundaries of cricket – and now in the second millennium, any unfair or unethical behavior in sport, or life, in general, will often attract the disapproving comment: “It’s just not cricket!” However, it is difficult to imagine the original use of the phrase as being related to activities such as spot-fixing, or to the clandestine methods to undercover it.

Players and Gentlemen

Key players on this stage were the Pakistani representative cricketers: Salman Butt, Mohammad Amir, Mohammad Asif and their Player Agent, Mazhar Majeed (ESPNcricinfo 2014 a,b,c).

Butt was captain of Pakistan cricket. He had long been a specialist opening batsman in the national side, following successive selections for a series of national age-grade cricket teams. However, because of inconsistent performances and competition for places in the starting roster, he had not been able to hold a regular place in the national test side. Nevertheless, in July 2010, just one month before the start of the Pakistan Tour to England, Butt was surprisingly appointed captain in all forms of the game, replacing the legendary Shahid Afridi.

Compared to the 36 year-old Butt, the 18 year-old Amir had had a remarkably early entry to the national side in 2009, first recognized at the age of 17 as a cricketing prodigy, for whom many had the highest expectations. As a specialist fast bowler, he was hailed as the new young prospect when another legend, Wasim Akram, scouted him at a training camp in Lahore three years earlier in 2007 (ESPNcricinfo, 2010b).

Building on early-career successes against New Zealand and Australia, Amir was able to fine tune his bowling and was becoming a major bowling threat to Pakistan’s opponents. His ability to impact a match was highlighted by a Man of the Match performance in the prior third match of the Test Series against England. As such, there would have been great hopes
and expectations amongst Pakistani supporters, anxiety amongst England fans, and curiosity amongst other cricket afficianados about whether such a performance could be repeated by the young player in the fourth Test. Indeed, it may have been anticipated that Amir would be under the spotlight for good reasons, and that any difference or drop in performance or effectiveness would have been subject to ball-by-ball scrutiny with live TV and radio coverage, video replays, and the continual opportunity for discussion by match commentators ‘filling in the time’ between bowls (cf pitches in baseball).

Mohammad Asif, aged 28, was also a specialist fast bowler who had first been selected for the national team in 2005. However, his representative career had been marked with scandal, and interrupted by periods of non-selection associated with use of performance enhancing substances, for which he had been charged and found guilty of steroid use (ESPNcricinfo, 2006).

**PHASE I - THE STING**

During the Pakistan tour of England, the *News of the World (NotW)*, the Rupert Murdoch-owned UK Sunday newspaper established contact with Mazhar Majeed, a London-based businessman and sports agent, in what was later described as a sting operation. Majeed had established himself as the UK-based agent for many of the Pakistan players, and not surprisingly, was in continuous contact with many of them. ‘Investigative’ reporters from the *NotW*, posing as part of an Asian gambling syndicate, arranged meetings with him as part of an undercover operation into the issue of spot fixing.

On Sunday, the 29th of August 2010, through the use of secret video recording, the *NotW* led with banner headlines “Caught!” - of what transpired at a meeting between the undercover journalists and Majeed. The term “caught” reflected in a cricket sense that Majeed had been “caught out” or “caught in the act” (ESPNcricinfo, 2010a).

Mohammad Amir’s first no-ball. The headline following the sting

Prior to the fourth Test Match between Pakistan and England, the journalists had collected video evidence of Majeed being seen to receive a substantial sum of money in return for the promise of arranging a specific number of (three) no-balls to be bowled at specific points in the game by specific Pakistani cricketers. The exchange of money had taken place in a room at the Coptorne Tara Hotel in London, Majeed was seen packing a case with £150k handed over by the undercover journalist, whilst assuring the journalist that the fast bowlers, Mohammad Amir and Mohammad Asif would deliver three predetermined no-balls — namely Amir’s first ball of the third over and Asif’s sixth ball of the tenth over, as well as another by Amir as the third ball of the third over on the following days.

Thursday, 26th August had seen the start of the fourth test match at the historic and internationally recognised "home of cricket", known as Lords, in London’s NW suburb of St John’s Wood. Pakistan captain, Butt won the toss, and decided that England should bat first on a rain-affected pitch, where rain had already delayed the start. This decision could be interpreted as predictable and sound, in as much as the playing conditions would likely benefit and convey an early advantage to Pakistan.
However, as evidenced by the sting operation, and as predicted and assured by Majeed, Amir and Asif combined to deliver separately three no-balls at exactly the points in the game previously agreed with the undercover journalists. Amir's first no-ball was not merely noted but received special attention from the media. For example, ESPNcricinfo's ball-by-ball web commentary referred to it as "an enormous no-ball, a good half metre over the line" (ESPNcricinfo, 2010a).

Despite the no-balls also being subject to comment on TV, radio and online, no other suspicion was not aroused until late in the evening of Saturday 28th of August when details of NotW's sting operation came to light in the early editions of the Sunday newspaper.

IMMEDIATE AFTERMATH OF THE STING AND NEWSPAPER REVELATIONS

Front page coverage of the NotW's sting operation, and the serious nature of the allegations, created a significant media storm in cricket and throughout the sport world, prompting considerable introspection amongst sporting bodies of whether undetected spot-fixing was happening in their individual sports. Front page headlines also brought the matter to the attention of the police, who, given the nature of available evidence, acted promptly to arrest and charge those involved. Following the sting, by the now defunct (NotW), it was alleged that Majeed, together with Butt, had orchestrated the delivery of no-balls at specific moments in the game – the spot-fixing of no-balls - in order for betting syndicates, gangs and individuals to bet on them.

On Sunday 29 August 2010, London’s Scotland Yard Police arrested 35-year old Mazher Majeed, the self-styled player agent, implicated to be at the centre of the spot-fixing affair. He was alleged to be responsible for bribing Pakistan's bowlers to bowl no-balls, and arrested on suspicion of conspiracy to defraud bookmakers (Telegraph, 2010a).

The consequences for the players were immediate. Salman Butt, who had reigned as Captain for only one month when the spot fixing allegations surfaced, had his reign brought to a halt, and was charged by police.

Scotland Yard detectives acted to confiscate the phones of the three players: Mohammad Amir, Mohammad Asif and the captain, Butt, as they began their investigation. The three players were questioned by police, and immediately suspended by ICC from playing all forms of cricket in all jurisdictions, pending official enquiry.

The twenty year old Mohammad Amir was also charged of bribery and spot-fixing. However, he was recognized as being at the end of a chain, asked to carry out the instructions received by Butt from Majeed, to deliver two no-balls as agreed.

By contrast, the then 28 year-old Asif had a slightly lesser role, and bowled only one no-ball in the spot-fixing affair. However, his record was such that involvement in spot-fixing was not the first time that he had faced allegations of cheating, having previously been found guilty steroid use (ESPNcricinfo, 2014c), leading to his suspension from the game, but later being rehabilitated and accepted back into the national team.

As further details emerged of the Pakistan players' involvement in the spot-fixing affair, specifically evidence of their involvement with Majeed, and the significant payments of money to them, reaction from within Pakistan and the non-Pakistani cricket world spanned surprise, confusion, denial, hurt, disappointment and anger.

In particular, Pakistani cricket journalist Shahid Hashmi felt the scandal had come as a "bitter blow" for the Pakistani people who had already been hit hard by the flooding that is devastating the country and believed fans wouldn't bother watching the end of the test series, stating that:

"The mood [in the country] is of great anger, disappointment and frustration."
Pakistan's Prime Minister Yousef Raza Gilani said the allegations made his country "bow its head in shame" and asked the Sports Minister Ijaz Jakhrani to conduct an enquiry. Jakhrani, in turn, had said that any players found guilty would face life bans. (BBC, 2010a)

By contrast to the mood of disappointment and resignation within Pakistan, the mood of the Pakistan cricket team management was less one of acceptance. Whilst they agreed to cooperate with the police investigation, they stated that the allegations had yet to be proven, and denied reports that police had discovered money in players’ hotel rooms, or had confiscated mobile phones and laptops. Similarly, adhering to an ‘innocence until proven guilty’ stance, and mindful of the impact of its time spent in ‘exile’, the Pakistani Cricket Board made it clear that despite the affair and disruption arising from it, its intent was to meet its cricket obligations and complete the tour.

Amidst all the publicity and scandal, the growing anger and confusion of supporters and players worldwide, official comment from the ICC world governing body’s chief executive Haroon Lorgat, provided an assurance that a thorough investigation by ICC’s Anti-Corruption and Security Unit (ACSU) would be conducted with appropriate punishment if a guilty verdict was the outcome of judicial process (BBC, 2010a)

Reaction of the Governing Bodies

The International Cricket Council (ICC), England and Wales Cricket Board (ECB), and Pakistan Cricket Board (PCB) all responded immediately after hearing the allegations against the Pakistan cricketers.

Pakistan – the PCB

The PCB chairman, Ijaz Butt, commented on how the ICC had responded to the revelations and how they handled subsequent allegations:

“The PCB is extremely perturbed by the recent allegations of corruption in the third DDI between England and Pakistan,”

“PCB regrets the way these allegations have been handled… as being a full member of ICC, it only came to know through media that investigations will be conducted by ICC. PCB feels that ICC should repose more confidence in its members”

(Mail, 2010a; Reuters, 2010)

“These are meaningless allegations without any proof. I haven’t read the report so I can’t comment any further.”

In a TV interview, Butt also referred to a ‘conspiracy’ against Pakistan, whilst accusing England players of match fixing by saying,

“There is loud and clear talk in bookie circles… that some English players have taken enormous amounts of money to lose the match”

(Mail, 2010a)

England – the ECB

The ECB demanded an apology after this accusation, and threatened legal action against PCB (Mehaffey, 2010). It responded to the news that Salman Butt, Mohammad Asif and Mohammad Amir had been excluded from the upcoming NatWest Twenty20 internationals and ODIs with a formal statement from Chairman Giles Clarke:

“The England and Wales Cricket Board welcomes the announcement of the Pakistan Cricket Board’s squad for the NatWest T20 and NatWest ODI series.”

“We look forward to an extremely competitive series full of excellent cricket and we can assure cricket fans across the country...”
that the matches will be played in the most competitive spirit, … long associated with contests between England and Pakistan”

(ECB, 2010a)

The ICC

ICC chief executive Haroon Lorgat, expressed "extreme disappointment and sadness” saying,

“We will not tolerate corruption in cricket — simple as that.
We must be decisive with such matters
and if proven, these offences carry serious penalties up to a life ban.
The ICC will do everything possible to keep such conduct out of the game
… and we will stop at nothing to protect the sport’s integrity.
While we believe the problem is not widespread, we must always be vigilant”

(ECB, 2010b)

“There is absolutely no truth to the suggestion
that there is a conspiracy towards Pakistan cricket.
There is a lot of sympathy for Pakistan and its players”

(Telegraph, 2010b)

The Reaction of Salman Butt

Salman Butt reacted strongly when questioned by the media,

“I do not want to comment on The News of the World … because everybody knows
what kind of paper it is.”

“Everybody knows about its reputation across the world.”

He spoke dismissively about Majeed, saying that he must have made “made lots of claims … clearly exaggerating things to show his authority, … I think he might have said a lot of things in that video because it was edited” (ESPNcricinfo, 2010b)

Defiantly, he said: “These are just allegations, and anybody can stand out and say anything about you, doesn't make them true”. Pakistan's team manager Yawar Saeed made similar comments, seemingly in support of Butt saying: “No allegations are true until they are proved”. (Telegraph, 2010c)

Reaction of the England Players

The England captain, Andrew Strauss was "absolutely astonished" by the allegations,

“There was no prior warning or anything like that …
First astonished, then pretty saddened straight away."

"With a lot of these match fixing allegations, it is so hard to prove one way or another"

"If someone is found categorically guilty of doing it,
… the only way for me is for you not to be able to play international cricket again"

(Taylor et al., 2010)

Strauss added that he the allegations hurt the game, and considered players had to recognise their responsibility:

"Every one of them that comes to light damages the game.
Ultimately, they are a bit of a cancer that can spread and devalue the game"

(Pringle, 2010; CricLounge, 2010))

"As players, all we can do is recognise our responsibility and do everything we can to paint the game in a positive light and help people reconnect with the game for the right reasons”

(Jamaica Star, 2010)

Others in the England team were so enraged over Butt's remarks that they didn't want to go ahead with the upcoming match between themselves and Pakistan, only accepting to play for the benefit of fans ‘Mail, 2010b)
Reaction of the Coaches

England coach, Andy Flower said,
"There's inevitably a bit of a gloomy atmosphere at the moment
... and with the sullying of cricket's name and reputation, that's understandable"
(Telegraph, 2010c)

Wagar Younis, Pakistan's coach tried to keep the team positive:
"We are trying to talk it out and make sure we keep our focus to the cricket
... rather than thinking of anything else"
"We have to make sure we stay focused on the game and deliver the goods in these five ODIs.
The last two Twenty2Os were not up to the mark".  
(Telegraph, 2010d)

Reaction of the Media

The News of the World was first to expose match-fixing allegations, making them front page news and publishing video evidence showing a man, supposedly Majeed predicting when the spot-fixing would occur (ESPNcricinfo, 2010a).
Following the NotW’s initial revelations, media attention grew rapidly worldwide, with many broadcasting the video, and updating and adding to the scandal as it happened. The coverage of the players’ arrest and trial received saturation coverage, responding to and building public interest, encouraging the public to contribute opinions on what they thought a reasonable punishment would be.

Pakistan embroiled in no-ball betting scandal against England  
(Marks, 2010)

Man arrested over England v Pakistan cricket match-fixing allegations  
(Quinn, 2010).

England v Pakistan: alleged match-fixing a real tragedy for game of cricket  
(Berry, 2010)

Lord’s Test at centre of fixing allegations  
(ESPNcricinfo, 2010a)

Pakistani cricket journalist Shahid Hashmi felt the scandal had come as a “bitter blow” for the people who had already been hit hard by the flooding that is devastating the country and believed fans wouldn’t bother watching the end of the test series,
"The mood (in the country) is of great anger, disappointment and frustration."

Reaction from the Wider Cricket Community

Whilst some in the wider cricket community called for strong punitive measures, others expressed sadness at events. For example, former Australian bowler Shane Warne called for a life ban for players found guilty,
"If it is true and they have been found (guilty of) match fixing and throwing games
... and spot betting with the no-balls and stuff,
if that's the case they should be thrown out."
"I mean we pay our dollars, I take my kids to the cricket and all sporting events.
In any sporting events, I think if it’s fixed by players, they should be banned for life."
(Telegraph, 2010e).

Former England captain Sir Ian Botham also thought Pakistan should face serious consequences by being banned from world cricket until the allegations were fully investigated,
We keep sweeping things under the carpet - enough is enough. The public pay the money to come and watch the game, what do they do if a catch goes down or someone bowls a no-ball, what are they thinking? Enough is enough.

(Mail, 2010b)

Michael Vaughan, another former England captain used his Twitter account to express his feelings on the matter,

"Anger is my thought at the moment. I don't see how they can get out of this one ... it's just a great shame why this has to happen. Very sad"

(Taylor et al., 2010)

Reaction of the Fans

England and Pakistan fans showed common feelings of disappointment and doubt. For example, Pakistan fans also voiced their opinions, commenting that the allegations were "disheartening" and made one "question the whole sport". England fans expressing comment to the BBC (2010a), said:

"It's just very disappointing - be wanting my hard-earned cash back if the players turn out to be guilty."

"It makes you wonder what we are all doing here. It is still very early days but it's sad for the sport."

PHASE II - THE ICC HEARING AND JUDGEMENT

The ICC tribunal hearing took place during January 6 - 11 in Doha, five months after the spot-fixing affair. The tribunal consisted of Michael Beloff QC, Sharad Rao and Justice Albie Sach and had Butt, Asif, Amir, their lawyers and the ICC lawyers present (Samiuddin, 2011a). Given comments made by those with close connections to cricket, many expected the outcome of the hearing to be quite tough with some even saying a life ban could be possible. After five days of deliberation it was announced that the judgement would be delivered on Saturday February 5, with the players remaining suspended until then. However, on Friday, February 4, the UK Crown Prosecution Services stated that they would continue to pursue investigations to determine whether or let to lay criminal charges of "conspiracy to obtain and accept corrupt payments, and also conspiracy to cheat" against Mohammad Amir, Mohammad Asif, Salmon Butt and Mazhar Majeed (ESPNcricinfo, 2011a). It was also stated that a first hearing would be scheduled for City of Westminster Magistrates’ Court on March 17. Conveying the seriousness of the charges, the CPS indicated that extradition orders would be sought if the three players fail to appear in court. However, at the time, this was unlikely since Rehman Malik, Pakistan's interior minister, had given his assurance in September that the Pakistan government would co-operate fully with the investigation.

After learning that criminal charges could be laid, the players expressed hope that the ICC judgement could be deferred arguing that the judgement could prejudice the criminal charges (Samiuddin, 2011b,c).

However, the ICC tribunal adhered to their agreed timetable, and declared that all three players to be guilty of spot fixing under the ICC’s anti-corruption code, but would be subject to differential punishments: 10 years suspension from all forms of the game for the captain, Salman Butt, 7 years for Mohammad Asif and 5 years for Mohammad Amir (Samiuddin, 2011b,c).
Reactions to the ICC Tribunal Verdict

The Pakistan Players’ Reactions
Anticipating criminal proceedings, Asif claimed that the ICC may have prejudiced his case ahead of any criminal trial in London given the timing of the ICC verdict (Farooq, 2012). Butt disputed his ten-year ban, and was hopeful that “once the rules in the code of conduct are amended, which the head of the tribunal has also requested ..., I hope the punishment can be reduced.” (ESPNcricinfo, 2011b)

Amir said he would lodge an appeal with the Court for Arbitration in Sport (CAS), based in Switzerland. His lawyer, Shahid Karim, expressing disappointment with the decision, confirmed that he would be exercising a right of appeal and challenging the decision, on the grounds that “the tribunal could have exercised its discretion to give a lower sentence.” (Samiuddin, 2010b)

Amir also reflected on his life in cricket and the extent to which he may have compromised his future career:

"Cricket has given me everything and it has been everything and if I don't play it I have nothing. I left education to play cricket and I have nothing other than cricket." – "One shouldn't lose hope because in life if Allah closes one door, he opens hundred others." "Two no-balls should not be five years punishment, they have said this themselves," "I will also say it is too much and I wasn't expecting it. I can't think clearly right now." - "I will be back" (Samiuddin, 2011c).

The Response of the ICC

It was reported that the ICC were happy with the outcome of the case, but acknowledged that since it had been the first time they had to interact with the anti-corruption code, they had learned from the process and the sentences handed down:

"The length of the sanctions has attracted support and criticism alike. But the most intriguing development was the tribunal's recommendation to the ICC to make "certain changes to the code with a view to providing flexibility in relation to minimum sentences in exceptional circumstances." (Samiuddin, 2011d)

Haroon Lorgat, the ICC’s chief executive expressed hope that the public would realise the ICC was serious about maintaining its integrity, and would do everything to protect it. He also hoped that as a result of what had transpired at the ICC Hearing “the image of the game has improved” (ESPNcricinfo, 2011c).

However, a member of the ICC legal team told ESPNcricinfo that whilst the ICC was happy that the players were convicted there would be some disappointment within ICC with the length of suspensions (Samiuddin, 2011d). In relation to Amir, a view had been expressed that “the teenager had become involved in a murky and dangerous world he did not understand and, culturally, felt obliged to go along with as his captain Butt and an authority figure (his agent) Mazhar Majeed told him to” and that “It threatens to be a desperate waste of a special talent" (Newman, 2011)

Former England cricketer, Vic Marks (2011), was unequivocal in his view that "If there is any sympathy arising from this tragic case — and this is one of the few occasions when the word tragedy can truly be applied to sport — it is stirred by the potential downfall of one of the brightest talents in the game, a boy who had it within his grasp to lift the spirits of a nation troubled by terrorism and worldwide cricketing."

He hoped that after five years of suspension, when Amir would be 23, that he would have the resolve “to resuscitate what began as a glittering career. "If anyone is a victim in this distressing episode, it is Amir.”
Reactions of the Cricket Community

The Federation of International Cricketers' Associations (FICA) released the results of its player survey, where over three quarters (77%) of respondents believed the penalties handed to the Pakistan players (by the ICC Tribunal) were too lenient. Tim May, the chief executive of FICA, believed the responses provided an indication that players, in general, wanted a tougher stance on corruption (ESPNcricinfo, 2011e).

Nevertheless, feelings for the impact on the game and on the Pakistan players were also mixed. For example, Nasser Hussain, former England captain said

"Please don't let it be the kid."

"There will be no tears shed for Butt, 36, and Asif, 28" (Newman, 2011)

Responding to the ICC verdict, many appeared relieved by the judgement and thought that the players got what they deserved; some were concerned for the youngest offender, Amir, as many saw him a talented player with great potential - and were pleased to hear that ICC took this into consideration with a much shorter suspension.

Others were more critical about the actions of Butt and Asif. Still, some had mixed thoughts, that whilst welcoming the announcement that the players would face “criminal charges over the spot-fixing affair”, it would also be greeted with “an overwhelming sadness” about how “the great game really come to this” (Newman, 2011).

There was also a measure of consensus that the punishments were necessary to set an example so that others became aware that such behavior will be taken seriously and is not acceptable. Many felt that ICC needed to deal with it carefully to ensure that a message would be reached to anyone in the same situation. Some saw the situation as a rare opportunity "for cricket to set an example to any youngster, who wishes to make a legitimate living from the game," especially so, since “most 18-year-olds, upon entering an international dressing room, simply do as they are told.”(Marks, 2011).

Former Captains

Former leaders had similarly diverse views and feelings, but all agreed that this incident need not have occurred and had been a huge negative for cricket (ESPNcricinfo, 2011d).

Andrew Strauss - England:

"The important things with any punishment for those sorts of things...
... is that it sends a very strong message to people
that might be tempted to do it in the future...
that if you do it then your career is going to be substantially reduced
if not completely destroyed."

"Spot-fixing bans 'too lenient"."

(ESPNcricinfo, 2011d)

Steve Waugh - Australia:

"I feel a little bit, I guess, of compassion for the young guy (Amir)
because he would have seen it happening with the other players.
Butt, I don't have any sympathy for him and...
Mohammad Asif has sort of been a serial offender in a lot of areas.
At some stage someone's got to take a stand...
You've got to have a serious deterrent out there to stop people doing it
We'd be very naive to think they're the only ones doing it."

(ESPNcricinfo, 2011f)

Imran Khan - Pakistan:

"I am genuinely upset over the bans on three key, young and talented players.
It was great humiliation for the people of Pakistan
as the kind of ignominy it brought
... made people more demoralised than the floods in the country."
The sad part of this whole corruption episode is that most of the people sitting at important places in Pakistan are corrupt … and with that prevailing, what sort of signal we are giving to our youth?"

Iqbal Qasim - Pakistan:

“All three players were the future of Pakistan cricket, so it’s a very upsetting day. All three had promising careers but it’s sad that they fell into a trap and couldn’t recover. They could have earned more through playing international cricket. I think this should serve as a jolt for the PCB who should have curbed this before it happened.”

Zahher Abbas - Pakistan:

“In my book, no player is indispensable and cannot be replaced. Nothing is greater than the honour and name of the country. I was expecting these bans but it came as a surprise that there was no leniency shown to Amir.”

EPILOGUE

The criminal trial of Salman Butt, Mohammad Asif and Mohammed Amir on corruption-related charges, began on the 4th October 2011 at Southwark Crown Court. Butt, Asif and Mohammad Amir were found guilty in November 2011, on charges of conspiracy to cheat and conspiracy to accept corrupt payments over deliberate no-balls bowled during the Lord’s Test between Pakistan and England in August 2010. Justice Cooke, in delivering his final verdict on 3rd November 2011, sentenced Majeed to two years and eight months imprisonment, and Butt to two years and six months.

Asif was sentenced to one year and Amir jailed for six months. Amir had previously, on the 16th September, at the Pre-trial Hearing, pleaded guilty to the charges of conspiracy to cheat at gambling and accepting corrupt payments. Butt and Asif were convicted of both charges with the jury unanimously finding both guilty on the charge of cheating.

In his sentencing remarks, Justice Cooke referred to the damage the three players had inflicted on the game of cricket, particularly in the eyes of young people who might previously regarded the players as role models and sporting heroes. In addition, as elsewhere on the subcontinent, where cricket is the national game of India and Pakistan, many Pakistanis would have felt betrayed by the actions of the players (Guardian, 2011).

Justice Cooke also commented on how the involvement of the players enabled the cheating and illegal gambling behavior of others. He indicated that the serious nature of the offences meant that nothing other than imprisonment as a punishment would be sufficient to convey the nature of the crimes as well as discouraging any other cricketers or agents in pursuing a similar course of action in the future.

The court found Mazhar Majeed to be responsible for arranging several instances of spot-fixing, not only those brought to light by the sting operation, but also others that had been admitted or exposed (Guardian, 2011). For the specific sting conducted by the NotW, bank records showed that Majeed had retained the majority of the £150k received. Justice Cooke also stated that Majeed had used his influential and trusted position as a Player Agent to orchestrate the fraud and deception that involved the players who had been in his trust.

In determining the sentence for Salman Butt, Justice Cooke (2011) took into account that Butt and Majeed were primarily responsible for orchestrating the spot-fixing arrangements. He also took account of Butt’s leadership position within the national team, which granted him a degree of de facto power and influence over players. As such, he found that the leadership role entrusted to Butt made him more accountable than either of the two other players who had delivered the no-balls.

Sally Walsh, of the Crown Prosecution Service’s special crime and counter-terrorism division, had stated in the Crown Court that: “they have brought shame on the cricketing world,
jeopardising the faith and admiration of cricket fans the world over. ... It was the first time any sportsman had been convicted under the Gambling Act 2005” (Scott, 2011).

No evidence was found that Mohammad Asif had any share of the £150k in his possession, yet other evidence was sufficient for him convicted of the same charges as Butt. As a consequence, the court accepted that Asif, too, had intended to obtain money in the same fraudulent manner as his captain. However, both Asif and Butt later made appeals to the Court of Arbitration for Sport, with Asif seeking the ban to be overturned and Butt seeking a reduction in his ban.

Amir was the only player who decided not to appeal against the five-year ICC suspension, despite it preventing him from taking part in any official match - international, domestic or club - until at least September 2015. His plea of guilty had not only compromised the evidence of others, but also acted as a mitigating factor in his lighter sentencing, as, indeed, had broader considerations of his upbringing and age, and illustration of his naivety. In April 2013, the CAS rejected both appeals by Butt and Asif with the appeal panel being satisfied that each sanction was appropriate for the offences committee. A CAS statement said: "The CAS panel was not persuaded that the sanction imposed by the ICC Tribunal was disproportionate, nor that any of the mitigating factors advanced by Mr Butt qualified as exceptional circumstances."

All three players served time in prison. Butt served seven months of a 30-month prison sentence, Asif was released from Canterbury Prison in Kent on June 3, 2012 after he served half of a year-long sentence while Amir spent three months in a young offenders’ institution after admitting his charge at the pre-trial hearing.
A Sample STUDENT TASK statement

“You’ve been brought in to advise Haroon Lorgat (Chairman, ICC), about the ICC’s responsibilities to promote ethical behavior amongst players and officials; about the need for anti-corruption measures to protect the game from gambling rings; and then to ensure that the organisational ethos is supportive of such programs and measures.

You understand that thought has been given to developing an ethics education program. But you’ve been advised to ensure that making a case for such a program that you need to build a convincing argument using the findings of an in-depth stakeholder analysis.

In short, there are cynics and doubters that need to be persuaded that a spectrum of stakeholders are likely to be affected by, and react in different ways, to continual ethical breaches. This means you need to take account of, and convey the impact of emotional responses by stakeholders as well as other rational economic responses.

You’ve also taken on board advice to ensure that the players should understand how individual and team/organizational behavior can be shaped moral values and moral emotions; and that players should also develop an ability to distinguish between different levels of moral reasoning, exhibited by stakeholders, including players.

It has also been suggested that players, in particular, should be sensitised to how unthinking choices and actions can lead to a slippery slope of escalating commitment to continue those actions, so that understanding the long term consequences of spur-of-the-moment actions is important.

Finally, in getting a program off the ground that addresses ethics and protects the game from corrupt forces, you know that the ICC has to understand how its programs complement and resonate with other initiatives being developed by the other sports governing bodies, the Rugby Union (of England), World Rugby, the IAAF and the IOC; and that once, it puts an ethical code in place, it needs to understand how its authority to act and area of jurisdiction complement those of other governance groups.

The analysis that you agreed upon is set out more fully in the following section! Come back in two weeks time!

STUDENT PROMPTS AND STRATEGIC QUESTIONS FOR PHASE I AND II

Phase I - Immediately following the News of the World revelations, what immediate actions should the ICC (or the PCB, the ECB and FICA) take to address the matter; to protect the reputation of the sport; and to protect stakeholder interests.

(a) First, prepare a Risk Evaluation
   Building on the Stakeholder Analysis, outline the roles of these stakeholders within the sport system, within commerce, within the political world etc.

(b) Prepare a broader Risk Management Analysis, as a basis for a Risk Management Plan.

(c) Risk, Crisis and Media/Relationship Management Plan
   What would be the major features of a Risk Management Plan for:
   (i) cricket as a whole
   (ii) for cricket’s high profile events

Phase II – Following the release of the ICC Tribunal Verdict, what longer term actions should the ICC (or the PCB, the ECB and FICA) take

(i) to combat the threat of spot-fixing, gambling and bribery to the integrity of cricket as a sport; and
(ii) to involvement of athletes vulnerable to financial pressures

Students could use the Ideology and Political Risk Analysis framework of Thoma & Chalip (1996) derived from Allison (71) and Coplin & O’Leary (1983) as a basis for risk analysis.
STUDENT PROMPTS AND PRELIMINARY QUESTIONS

Introductory and General Questions

A Why has the case attracted such media attention?
(a) Describe why the spot-fixing affair created so much interest and attracted such attention in the sports world?
(b) Comment on the social contexts in the sub-continent, that impact the players, the sport, the fans, the media.
(c) **Outline the events** associated with the affair in chronological order; in particular, describe Amir’s escalation of involvement, and identify moments when he could have made different decisions.
(d) Can minor fraud/spot-fixing be tolerated when it does not result in business failure or losing a game?

B Stakeholder Analysis
**Outline the major “players” involved in, or affected by the spot-fixing affair**
- **Identify the key stakeholders** relating to the conspiracy to fix events within matches, the sting operation and the players’ actions on the field.
  (a) Describe their main **attributes, responsibilities, stakes and interests**.
  (b) Describe how the stakeholders impact on, and were impacted by public expectations or perceptions of cricket as a sport; the standing of a cricket test as an international event; and the conspiracy to fix aspects of matches.
  (c) Provide a chart of **generic** stakeholders of the ICC and state how they may have been impacted by the actions of key individuals such as: Salman Butt, Mohammad Asif and Mohammad Amir (Players), Mazhar Majeed (Agent), Yawar Saeed (Pakistan Team Manager), Ijaz Butt (PCB Chairman), Haroon Largot (ICC Chairman).
  (d) Indicate two **specific** stakeholders that can be labeled as dangerous or dominant stakeholders.

C Ethical Dilemmas and Ethical Behavior
**Chronology of Ethical Dilemmas**
Butt, Asif and Amir would each have faced a series of ethical dilemmas as the case unfolded.
(a) Outline the particular **chronology of ethical dilemmas** faced by them and the decisions that they took:
(b) Consider what factors may have given rise to the unethical behavior of Butt, Asif and Amir

**Moral Values and Moral Emotions**
(c) What **moral values** were breached by Butt, Asif and Amir in their contributions to the Spot-Fixing Affair?
(d) **What moral values** may have been breached by the ICC Tribunal Panel in suspending the 3 players and Majeed, before the impending Crown Court trial?
(e) **Describe the moral emotions** that appear to have surfaced in those commenting on the affair and how those emotions may impact on moral judgments and decisions taken by those actors.

**Moral Reasoning**
(g) Using Kohlberg’s framework, indicate the level of **moral reasoning** exhibited by Butt, Asif and Amir for each of the dilemmas that you have identified.
(h) Briefly indicate how Amir could have **managed those situations** differently if he had recognized the successive dilemmas, ie the impending escalation of commitment.

D Were the punishments of the cricketers appropriate?
(a) First, consider the nature of the punishment(s) imposed upon the players successively by the judicial processes of the ICC Tribunal and the UK Crown Court.
(b) Then, did the punishment(s) / judicial processes comply with procedural, retributive & distributive justice?
(c) Comment on other cases where athletes have been subject to the judicial processes of different bodies.

E The Relevance to Business and Political Environments
(a) What lessons would be relevant to the planning and conduct of:
(i) other relevant mega-events where illegal gambling is likely, eg 2015 ICC Cricket & Rugby World Cups
(b) Can minor fraud/spot-fixing be tolerated when it does not result in business failure or losing a game?
(c) Outline other implications that may arise from this case.

Note: Students could use Badaracco’s framework (1997, 2002) and Freeman’s Stakeholder Approach (1984) to Strategic Management and Mitchell’s Stakeholder Typology (1997) to identify Stakeholders, their Attributes: orientation, stakes, interests, opinions, power; Responsibilities, and Stakeholder Dynamics etc. Students could also use Lumpkin, Beller and Stolle’s framework to examine Moral Values; Haidt’s framework to consider moral emotions; and Cressey’s Fraud Triangle to assess motivation/pressure/opportunity and rationalization for unethical behavior.

A comprehensive Teaching Guide is available from john.davies@vuw.ac.nz on request.
APPENDIX 1

**The ICC’s Anti Corruption and Security Unit (ACSU)**

International cricket is a leader in the fight against corruption in sports and it needs to remain so. Betting on cricket in the legal and illegal markets continues to grow rapidly and, with many, many millions of dollars being bet on every match, the threat of corruptors seeking to influence the game has not gone away. It is for these reasons that the ICC’s Anti Corruption and Security Unit (ACSU) continues to pursue the three objectives of investigation, education, and prevention.

The unit was set up in 2000 following a corruption crisis which represented the gravest challenge it had faced since the Packer Revolution of the 1970s and the Bodyline series of the 1930s. Cricket’s reputation and integrity were tarnished and in danger of being destroyed.

Decisive action was called for in the wake of match-fixing allegations and revelations about South Africa captain Hansie Cronje and the captains of India and Pakistan, Mohammed Azharuddin and Salim Malik. Eventually all three were banned for life from international cricket. Other players were suspended, fined and warned about their future conduct following judicial and Board enquiries in several major cricket countries.

Its first Terms of Reference covered the three-year period up to the end of the ICC Cricket World Cup 2003 in South Africa. Those original Terms have been reviewed and amended to recognise the wider role now required. With effect from July 2003, the Anti-Corruption Unit was renamed as the ICC Anti-Corruption and Security Unit.

The change in nomenclature was slight but appropriate as the Unit took on a broader mandate that gave equal weight to the prevention and investigation of corruption.

Its main principal role is:

**Anti-Corruption**

To assist the ICC and the Members of ICC in the eradication of conduct of a corrupt nature prejudicial to the interests of the game of cricket; and to provide a professional, permanent and secure infrastructure to act as a long term deterrent to conduct of a corrupt nature prejudicial to the interests of the game of cricket. Sir Ronnie Flanagan, one of the United Kingdom’s most senior former policemen, is the Chairman of the ICC Anti-Corruption and Security Unit (ACSU) and acts in consultation with the ICC Chief Executive, David Richardson. Day-to-day operational responsibility rests with the General Manager and Chief Investigator.

Allegations of corrupt activity are probed thoroughly by the Unit’s Investigators, sometimes with the assistance of Police Officers. In support of their efforts, the ACSU’s Senior Information Manager continues to build an international network of contacts in both the legal and illegal markets so that where concerns are raised, the Unit is able to activate these relationships and effectively investigate allegations.

All players and officials that take part in the top level of international cricket pass through the ACSU’s education programme.

As part of the education process, players are given details of the ways in which corruptors may seek to ‘groom’ them from an early age as well as the penalties that exist - not just for fixing all or part of a match but also for accepting money, benefit or other reward for the provision of information or failing to disclose the inappropriate conduct of others.

The seven Anti-Corruption Managers coordinate the ACSU’s prevention measures. These experienced law enforcement professionals are present at every international series to ensure that strict anti-corruption protocols are enforced at all venues, collection information / intelligence, particularly around the dressing room areas.

http://www.icc-cricket.com/about/46/anti-corruption/overview

APPENDIX 2

**The UK Gambling Commission**

The UK Gambling Commission was set up under the Gambling Act 2005 to regulate commercial gambling in Great Britain. On 1 October 2013, it took over the responsibility for regulating the National Lottery under. It seeks to combat illegal gambling activities and betting related corruption in sports

APPENDIX 3

Media Headlines

Cricket "Spot Fixing" Video Scandal Rocks Pakistan
Pakistan 'shame' over fixing cricket spot-fixing scam
Pakistan players are small fry in context of $500bn illegal market
Pakistan cricket scandal: Gambling is cancer threatening sport
Pakistan slump to massive defeat amid huge scandal

Another day of lost belief
Sport in shock at 'bets scam'
Scandal that shamed game
It's a sad day for us all
Pakistan's murky cricket-fixing underworld
England finish off tarnished test
They are bad human beings
Jail is all they deserve

Salman Butt, a man who had everything, faces a life of ignominy
Door closes on Mohammad Amir and those who corrupted him

Mohammad Amir blames lack of information from PCB for spot fixing
ICC says corruption not rampant
Cricket's greed is a guilty habit that needs fixing
Cricket's rulers plan to widen net in battle against cheats
Imran Khan calls for 'radical change' to fight corruption in cricket
ICC should be ashamed
Andrew Strauss brands ICC 'toothless' after the Pakistan scandal
Hall of shame has criminals now

Relatives protest spot-fixing sentences but public back judge

The agent and players may have been sentenced but the bigger criminals are still at large

REFERENCES


