

Football Association Regulatory Commission (the ‘Commission’) in the matter of charges brought against Christopher Maguire (“CM”) for multiple breaches of The FA’s Betting Rules.

Regulatory Commission Decision

1. These are the written reasons for a decision made by an Independent Regulatory Commission which sat on 22 November 2022.
2. The Commission members were Mr Jonathan Rennie (Chairman), Mr Peter Fletcher and Mr Matt Wild.
3. Mr Michael O’Connor of the FA Judicial Services, acted as Secretary to the Regulatory Commission.
4. The following is a summary of the principal submissions and evidence provided to the Commission. It does not purport to contain reference to all points made, however the absence in these reasons of any particular point, or submission, should not imply that the Commission did not take such point, or submission, into consideration when the members determined the matter. For the avoidance of doubt, the Commission has carefully considered all the evidence and materials furnished with regard to this case.

Background

5. Since August 2014, under the FA's Betting Rules, a Participant at step 4 and above is prohibited from betting on the result, progress, conduct or any other aspect of, or occurrence in, a football match or competition; or any other matter concerning or related to football anywhere in the world, including for example and without limitation, the transfer of players, employment of managers, team selection or disciplinary matters.

6. CM was identified by The FA as having breached The FA's betting Rules. This followed CM'S visit to a Ladbrokes retail shop on Guildhall Street in Lincoln City Centre and reporting provided to the FA by Ladbrokes.

7. The FA contacted all UK based/registered betting companies and requested any accounts in the name of CM that showed breaches of The FA's Betting Rules. This resulted in Bookmaker Accounts being disclosed to The FA including alleged CM accounts with Skybet, Unibet, Betfair and BoyleSports.

8. The FA interviewed CM on 6th April 2022. The terms of that interview reflected an unusual set of facts. During that interview CM stated that he enjoyed betting on a casual basis and he admitted that he had a Skybet account. He used this account principally for betting on horses and golf. CM was very clear that he did not have any other online betting accounts.

9. CM could not recollect placing 3 bets on football using his Skybet account in 2016/2017 with the total stake amounting to £15 only. He indicated that with the passage of time he could not provide any further explanations. CM did admit that he had placed a football bet through his Skybet account

(identified as “Skybet 37”) on 13th March 2021 for £50. He explained this as a mistake after he clicked on an offer and he immediately cancelled out of the bet and cashed it out before the events.

10. CM accepted that he would sometimes go into the Ladbrokes retail shop in Lincoln city centre. He might do so to play the roulettes or slot machines or to watch horse races he was betting on. The FA betting integrity team asked CM questions about his betting on football whilst in the retail shop and the dates of his visits. CM was not always able to provide specific answers to these questions even though they related to events in 2022 and only a matter of weeks before the FA interview. The questions focussed on the events of 12th February 2022 and whether CM could recollect being in the retail shop. He could not recollect.

11. CM indicated that he had knowledge and training in the betting rules. In questioning from the FA’S Betting Integrity Investigator, it was apparent that CM was an experienced player and that he had played for a number of clubs in both Scotland and England. CM explained that he had a family residence in Scotland and that he stayed in a succession of temporary accommodations in England whilst playing there. CM insisted that he did not have multiple online betting accounts and that he was concerned there may have been a fraud in setting those up or some other explanation. He suggested his wallet had been stolen some time ago and there was the potential for his bank accounts to have been manipulated.

12. Following the interview with the FA, they requested that Ladbrokes provide an analysis of CM’s attendance at the retail shop in Lincoln. A

statement was provided by Anthony Ladislaus, Assistant Legal Director at Entain, who own Ladbrokes. The statement explained that:

- a. Ladbrokes staff had identified CM entered the premises in Lincoln on 25 January 2022 and also 12 February 2022;
- b. CM placed bets on football on both occasions;
- c. Ladbrokes staff approached CM when he next returned to the premises on 4th March 2022 and asked him if he was a professional footballer. CM replied in the negative and left the premises;
- d. On 25th January 2022, CM placed a 5-fold accumulator football bet for £50 using the bet stations in the retail shop;
- e. CCTV footage from 25th January 2022 provided an image of the betting customer identified by Ladbrokes as CM;
- f. On 12th February 2022, Ladbrokes staff identified CM as being the customer that placed a 5-fold football accumulator for £35 using the bet stations in the shop;
- g. There was no CCTV footage from 12th February 2022 but the staff in the premises were confident it was CM due to his Scottish accent and his frequent previous visits.

13. Following analysis of the betting accounts that were supplied to The FA by the bookmakers and the FA's interview with CM, The FA charged CM on 19 August 2022 with 4 charges of Misconduct under FA Rule E8 in respect of 52 bets placed over 4 seasons (Charge 1 relating to 2016/17; Charge 2 relating to 2019/20; Charge 3 relating to 2020/21 and Charge 4 relating to 2021/22). It was alleged that each bet was a separate breach of FA Rule E8 (as applicable).

14. Subsequent to the 4 charges being raised against CM, it is apparent that he made endeavours to be in touch with the online betting companies that he disputed having accounts with. CM also approached Monzo bank about a disputed bank account which he claimed was not his but had been used for online bets in his name.

15. CM recovered responses which were made available to the FA and in his defence statement of 13th September 2022 his position developed to him admitting Charge 1 and the Skybet 37 bet only whilst disputing the other online bets and alleging that accounts were simply not his. He also disputed any retail bets save for that placed on 25th January 2022 and so Charge 4 was not admitted in full. The FA had regard to the developing picture on the online accounts and by email dated 19th October moderated the charges as follows:

- a) Charge 2 (withdrawn in its entirety)
- b) Charge 3 (withdrawn except in respect of SkyBet 37)

16. Following the change in the charges against CM the Analysis of the remaining betting accounts showed the betting pattern and stakes that CM had allegedly made, which included

- a. Charge 1 - 3 bets in season 2016/17 which included games in competitions that CM's club had participated in during the relevant seasons - admitted
- b. Charge 3 - 1 bet being "Skybet 37" placed in the season 2020/21 being on clubs unconnected to CM - admitted; and

- c. Charge 4 - 6 bets in season 2021/22 including one bet on 12th February being against his own club, Lincoln City (bet for them to win) with only one bet on 25 January 2022 being admitted.

17. CM's playing career during the relevant period was as follows:

- a. 2016-17 Player at Oxford United;
- b. 2019-20 Player at Sunderland FC;
- c. 2020-21 Player at Sunderland FC; and
- d. 2021-22 Player at Lincoln City FC

18. After the charges were narrowed due to the disputed online accounts then the overall amount staked by CM during the relevant period was approximately £100.

19. CM requested that the case be dealt with by way of a Personal Hearing. He was represented at the Hearing by Mark Knowles of the PFA.

20. Given the terms of the CM admissions to certain of the charges then the Commission were left to determine whether on the balance of probabilities that CM had placed the retail bets forming Charge 4 on 12th February 2022. He admitted the retail bet at the same shop on 25th January and the panel considered and upheld that now proven charge that he did in fact place the further retail bets on 12th February 2022. In reaching that determination, the Commission considered i) the Ladbrokes statement from staff believing CM placed those bets and ii) the similarity of the betting pattern between the disputed 12th February bets and CM's betting history and iii) staff identifying CM through his Scottish accent and iv) the fact that CM admitted being at the

same shop on 25th January and 4th March 2022 heightened the chances he was there on other days also. The significance of the 12th February bets was that there was one bet made against CM's own club (to win) Lincoln City FC.

21. Placing a bet on a competition that involves or has involved one's own club leads to the FA Sanction Guidelines recommending a fine as an entry point sanction. Placing a bet against one's own club is considered more serious and provides for a potential sporting sanction of a ban ranging from 6 months to life.

22. The following are factors to be considered by a Commission in relation to any increase/decrease from entry point or in relation to the level of fine to be imposed:

- a. Overall perception of impact of bet(s) on fixture/game integrity;
- b. Player played or did not play;
- c. Number of bets;
- d. Size of bets;
- e. Fact and circumstances surrounding pattern of betting;
- f. Actual stake and amount possible to win;
- g. Personal circumstances;
- h. Previous record – (any previous breach of betting rules will be considered as a highly aggravating factor);
- i. Experience of the participant;
- j. Assistance to the process and acceptance of the charge.

23. The Commission noted the following text attached to the Sanction Guidelines: *"The guidelines are not intended to override the discretion of*

Regulatory Commissions to impose such sanctions as they consider appropriate having regards to the particular facts and circumstances of a case”.

Hearing and Sanction

24. The Commission considers breaches of the FA’s Betting Rules to be a serious matter. It is important that the FA’s Betting Rules are upheld in order to protect the overall integrity of the game.

25. The Commission noted the FA’s Sanction Guidelines and considered all of the factors that are set out in the Guidelines in order to come to a fair and proportionate sanction given the circumstances.

26. The Commission considered CM’s admission to elements of the charge and his cooperation with the process to be mitigating factors in his favour. The Commission further noted that CM had taken the time to investigate the alleged fraudulent betting himself and that through his efforts there had been a narrowing of the 4 charges against him down to the 2 principal charges (together with “Skybet 37”) as referred to at Paragraph 16 above. At the same time as the mitigation factors, the Commission did consider that CM’s denial of being in the Ladbrokes retail shop on 12th February 2022 was implausible and did lead to an extended hearing which could have been avoided.

27. The Commission considered the total number of bets placed (10); those bets placed on competitions in which CM’s team had been involved (6); those bets in favour of his own Club (1); the duration over which the bets had been placed (4 seasons); and the small amount of money staked (approximately £100) in deliberating on sanction. It was noted that CM is no longer employed

by Lincoln City FC and the Commission did not consider there to be any aggravating factors in CM's conduct more generally.

28. Having taken all the mitigating factors of the case into consideration the Commission felt that the following sanction was proportionate and appropriate in all the circumstances:

- a. CM is fined the sum of £ 750.00;
- b. CM is given a warning as to his future conduct and is advised that any future breach of the betting rules and/or the FA Conduct rules more generally will be viewed very seriously.

29. This decision is subject to Appeal in accordance with the FA's Rules and Regulations.

Jonathan Rennie

Regulatory Commission Chairman

24 November 2022