

**IN THE MATTER OF CHARGES BROUGHT BY THE PROFESSIONAL TENNIS  
INTEGRITY OFFICERS ("PTIOs")**

**UNDER THE UNIFORM TENNIS ANTI-CORRUPTION PROGRAM ("TACP"),**

**BEFORE ANTI-CORRUPTION HEARING OFFICER ("AHO") JANE MULCAHY OC**

Corruption Notice to: Karim Hossam (hereafter "**the Player**")

-and-

PTIOs

The PTIOs being constituted by appointments from each of the following governing bodies:

WTA Tour, Inc. ("**WTA**")  
Grand Slam Board ("**GSB**")  
International Tennis Federation ("**ITF**")  
ATP Tour, Inc. ("**ATP**")

Representing the Player:                      The Player has represented himself

Representing the PTIOs:                      Ross Brown of Onside Law

## DECISION OF AHO ON SANCTION

### Introduction

1. I am appointed as the AHO in this case. By a decision on liability dated 11 May 2018 ("the Decision"), following a partial admission by the Player of half of the charges (although he failed to specify which half), I found he had committed all 16 of the charges brought against him under various iterations of the Tennis Anti-Corruption Program ("TACP").<sup>1</sup>
  
2. I now consider the sanction to be imposed under the TACP which states:

*"H.1 The penalty for any Corruption Offense shall be determined by the AHO in accordance with the procedures set forth in Section G, and may include:*

*a. With respect to any Player, (i) a fine of up to \$250,000 plus an amount equal to the value of any winnings or other amounts received by such Covered Person in connection with any Corruption Offense, (ii) ineligibility for participation in any event organized or sanctioned by any Governing Body for a period of up to three years, and (iii) with respect to any violation of Section D.1, clauses (d)-(j) and Section D.2, ineligibility for participation in any event organized or sanctioned by any Governing Body for a maximum period of permanent ineligibility...*

*c. No Player who has been declared ineligible may, during the period of ineligibility, participate in any capacity in any Event (other than authorized anti-gambling or anti-corruption education or rehabilitation programs) organized or sanctioned by any Governing Body. Without limiting the generality of the foregoing, such Player shall not be given accreditation for, or otherwise granted access to, any competition or event to which access is controlled by any Governing Body, nor shall the Player be credited with any points for any competition played during the period of ineligibility."*

### PTIOs submissions

3. In the Decision I directed the PTIOs to send me written submissions on sanction by Friday, 1 June 2018.

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<sup>1</sup> I had previously, on 30 June 2017, made an Order that the Player be provisionally suspended and ineligible to participate in any Event until further direction by me.

4. By those submissions, dated 31 May 2018, the PTIOs stated that the 16 offences committed by the Player encompassed 47 separate breaches of the TACP across a five year period, 30 of them (64%) carrying the potential of a lifetime ban.
5. The PTIOs relied on eight cases in which various bans had been imposed on players, the minimum being seven years and the majority (six out of eight) being lifetime bans. As for fines, these ranged from zero to \$100,000.
6. In relation to aggravating factors, the PTIOs relied on: the number and seriousness of the charges; the extent of the Player's involvement (in both fixing matches himself and arranging the fixing of matches); the fact that the Player, at 24, was an experienced tennis professional; the Player's obvious knowledge of the TACP and the fact that the Player had not "*properly admitted any wrongdoing...or expressed remorse*".
7. In relation to mitigating factors, the PTIOs acknowledged that the Player had cooperated with their investigations to an extent, attending interviews and making a number of admissions in those interviews. ...**(Redacted content)**

Failure to engage by the Player

8. The Decision directed the Player to send any submissions in reply to the PTIOs' submissions on sanction by Friday, 15 June 2018. That day came and went and no submissions were received.
9. By an email dated 20 June 2018, following a reminder email from the PTIOs, I gave the Player an extension until 4pm on Friday, 22 June 2018 to send any representations to me that he might wish to make.
10. Again, no submissions were received.

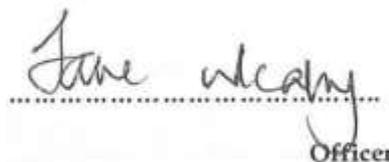
## **Decision on sanction**

11. I have considered the various cases summarised by the PTIOs (Kelleher; Savic; Krotiouk; Kumantsov; Lamri; Gadomski; Kryvonos and Badanov) and their representations.
12. I consider that this case is at the serious end of the scale within the spectrum of corruption cases which, I accept, invariably strike at the very heart of the authenticity of sport. The Player's 16 offences encompass 47 separate breaches. Further, while the Player cooperated in interview, he has failed to make such representations in this process as to allow me to take a more lenient approach than the offences, on their face, require me to take.
13. In relation to suspension under the TACP, therefore, I impose ineligibility from participation in any event organised or sanctioned by any Governing Body for the maximum period of permanent ineligibility (i.e. a lifetime ban).
14. In relation to a fine, I have no knowledge of the Player's means as he has failed to provide me with any information. I also bear in mind that a lifetime ban is, in itself, a very serious sanction. Nevertheless, I am minded to fine the Player \$15,000. This is on the basis of the 16 charges of which he has been found guilty, which encompass payments to him of around \$6,500. I work on the basis there may be further payments of which the PTIOs are unaware, and hence assess the likelihood of the Player being enriched at around the \$15,000 mark, i.e. the amount of the fine.

## **15. (Redacted content)**

**Anti-Corruption Hearing Officer**

**Signed at London, England**

  
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Officer

**DATED 2 July 2018**