



Financial Loos

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- up to 300.000 pathological gamblers in Germany
- Out of these: sport gambling 25.000
- Financial loss per year
 - approx. € 5 Billion (€ 16.000.- per gambler) in Germany, € 11 Billion in Italy
 2006
- Sport gambling alone: approx. 500 Mio. Euro (Germany 2006)
- Debt: **73** % of all pathological gamblers, compared to 55 % of cocain addicts and 29 % of alcohol addicts
- Social costs of gambling in Germany: 60 Billion Dollars per year
- Gambling = Social problem for our societies!
- Those who are suffer: families, children, health care and social welfare systems...
- Those who make profit: legal and illegal gambling industrie





Legal Problems of Match Fixing

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- What is the object of "legal protection" (Rechtsgut)?
- Who is the "aggrieved party"?
- What is the loss/damage/harm and how should it be calculated?

The KEA-Study

- ... illustrates how corruption and match-fixing is covered in national criminal law in Europe.
- Survey with national ministries in the 27 Member States, sporting organizations and betting operators
- European legal landscape is not uniform: whilst some countries focus on general
 offences of corruption or fraud, others have implemented specific sport offences
 to cope with match-fixing -contained either in their criminal codes, sports laws or
 special criminal laws (Italy, Malta, Portugal).
- These provisions differ greatly in regards to the act to be criminalized as well as the scope, objective and subjective elements of the offences or the relevant sanctions.
- "Match-fixing in sport. A mapping of criminal law provisions in EU 27". KEA March 2012.
 http://ec.europa.eu/sport/news/documents/study-sports-fraud-final-version_en.pdf (Aug. 23, 2012)

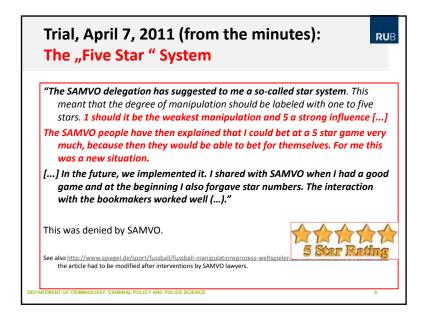
Case Sapina / "Don Ante" (2011/13)

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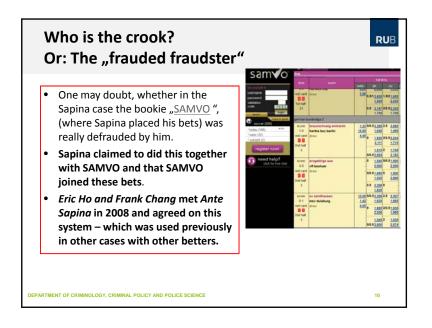
- Case involved at least 32 matches in Germany and 200 in the continent, including three matches of the Champions League. (see next slide)
- Three people where sentenced in April 2011 by the Bochum District Court for to up to 3 years and 11 months in prison for trying to fix matches and bribe players.
- Inquiry began by accident end of 2008.
- Police were investigating a prostitution and narcotics ring run by a transnational criminal organization based in Bochum
- On 19 November 2009 a series of raids were conducted in the UK, Germany,
 Switzerland and Austria in relation to the betting investigation.
- The investigators discovered that the criminals were also running a vast network instigating corruption in sport and rigging bets to launder the fruits of their activities.
- On 19 November 2009, after a year of telephone tapping, 20 people were arrested and charged with corrupting over 320 football matches in 10 European countries. Afterwards some 100 more were arrested.

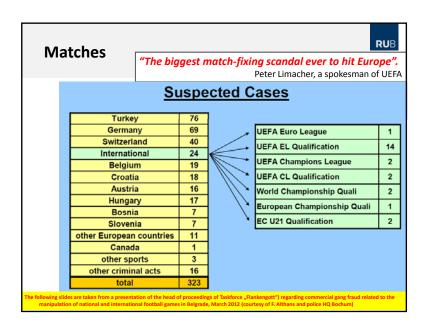
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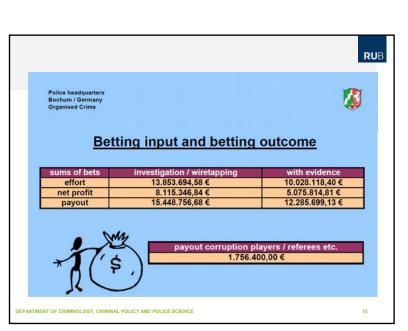


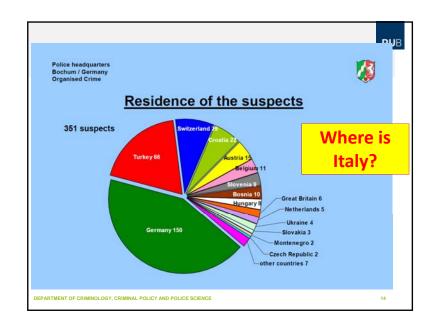


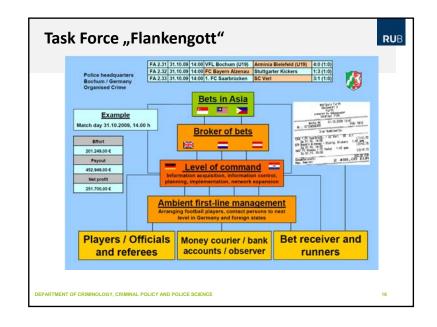












Ante S.: Leader of the gang – or flotsam?

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- Sapina the "jetsam and the flotsam of a huge tide in global gambling"? (D. Hill)
- · Globalization of the gambling business
- Sapina had placed most of his bets in Asian gambling markets because legitimate bookmakers in Europe generally have restrictions on the size of wagers they will accept.
- "In the normal markets it is <u>just not possible</u> to make the kind of money you can win in Asia".

http://www.nytimes.com/2011/01/07/sports/soccer/07iht-match07.html?pagewanted=2&src=tptw

Declan Hill, The Fix. Soccer and Organized Crime. Plattsburg, 2008/2010

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Social Background?

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- Class discrepancies and poverty are increasing in Europe
- Thatcherism: "Morality is personal", "poverty is not material but behavioral"
- In Britain in 2010, the richest 1,000 got 30 per cent richer in just one year, in Germany 10% of the population own 2/3 of the capital, 50% auf the population have less than 1%.
- In GB under Labour party the number of sports and social clubs fell by 55 per cent - the number of betting shops rose by 39 per cent.
- Owen Jones, Chavs. The Demonization of the Working Class. London 2012 (2nd ed.)
- Ingo Fiedler <a href="http://www.wiso.uni-hamburg.de/fileadmin/bwl/rechtderwirtschaft/institut/Sonstiges/Die sozialen Kosten von Gluecksspielen Hamburg fags 11.08 01.pdf

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Criminological Background and Forensic Evidence



- · Investigation very difficult and time consuming due to
 - clandestine structures,
 - very well (illegally and legally) connected actors,
 - different legal structures,
 - different law enforcement cultures,
 - language problems (e.g. in the Lim-Bee-Wah-case, the investigators did not know what language Lim spoke (it was Kookien or Hakka)
- Germany a "safe haven" for internationally organized, but locally networked groups?
- The Italian Mafia is expanding its influence on the economy and politics in Germany, as the BKA in a recent report has shown.

http://www.juergen-roth.com/mafialand.html

http://www.bka.de/nn_193314/SharedDocs/Downloads/DE/Publikationen/JahresberichteUndLagebilder/OrganisierteKriminalitaet/organisierteKriminalitaetBundeslagebild2011,templateId=raw,property=publicationFile.pdf/organisierteKriminalitaetBundeslagebild2011.pdf

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NO.

Ante Sapina, a personal profile

- 16.02.1976 born in Raško Polje (Croatia)
- · raised in Duisburg, Germany,
- · youngest of three sons, immigrants from Croatia
- Father died 1988, family moved to Berlin
- Ante was excellent in mathematics in school
- When he was 14 years of age, he sent money to Ireland for sports betting (30.-German Marks each envelope)
- In 1999 he won 76.000.- Euro at a betting machine in Berlin, of which he invested 50.000 Euro in the German Bundesliga Champion 2000 and won 100.000.-.
- Later he called this his "breakthrough".
- Studied business economics at a university, but found "his profession" in bets
- Got in trouble with private bookies he is too good for them. He is put on betting limits, certain sports are blocked for him, went to the state-run Oddset, with the "worst odds in Europe" (Sapina).
- As a consequence, he moves to the Asian market with better options

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The Story of Sapina

- 2004 he met the referee Hoyzer at Cafe King, owned by his brother Milan
- met Messi during the 2006 championship
- "He loves football"
- Sapina and Hoyzer become friends and agree on match fixing
- August 2004; Sapina won 751.365.- Euro (SC Paderborn vs. Hamburger SV, fixed by Hoyzer)
- Hoyzer and Sapina were sentenced, Sapina 2 y 11m prison, released on probation after serving half the time
- Sapina stays in the milieu, bets again, fixes matches
- · diagnosed as pathological gambler
- His Porsche had the license plate "B-OG" for "Bog", the Croatian word for god. Sapina is a Catholic, went to church whenever possible...

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Reasons for success?

- Smart, polite, trustworthy
- Able to "read" other people, to find their very personal chink or weak points
- Knows how to deal with characters like Hoyzer on the one side and organized crime activists on the other side
- Was released after half sentence very unusual in Germany. Why?
- Was released from pre-trial custody in 2011 because he was "cooperative"; case is still ongoing.

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Ante Sapina: Why?

- Bright boy, excellent in mathematics
- gambling, small bets, looking for challenges as a boy
- Bigger bets, (financial) success
- Addiction (pathological gambling)
- Cultural and business environment (Cafe King)
- Private, personal success and appreciation
- Looking for higher aims: Asian betting market
- Contact with and appreciation by Organised Crime representatives
- Caught by coincidence: phone tapping of another person
- = Sapina is NOT a typical member of organized crime structures

 Is this the reason, why he got caught and sentenced?

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Consequences and the Way Forward

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- Match Fixing causes high financial losses (associations, players and bet providers, each individual player)
- Clubs may end up with high debts after relegation or elimination of international competitions
- Result: Job cuts on sides of professional players and coach; club insolvent
- Citizens lost trust in sports, but also athletes and functionaries
- Consequence: The "money" draws back from Sports??

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Monitoring systems

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... are (at least at the moment) not effective because

- no facts or data, which can be used in investigations and trials, no evidentiary value,
- monitored by criminal networks,
- even tactically used by such networks (or by the organization itself) for own bets ("Nachwetten").
- ("a net with very large mesh"), because Asian fixers do not bet with Betfair or English betting companies

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Recommendations (2)

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- 7. Unification (in Europe and worldwide) of laws, law enforcement activities, court decisions, data bases
- 8. Standards for legal and administrative cooperation
- **9. Cooperation** with sports federations (UEFA, national organisations, not only football); they should inform police about suspicious matches;
- **10.** Licensing of bookmakers should be combined with an agreement to provide information about suspicious matches, persons, clubs.
- 11. Regulatory authorities should agree on (European?) standards to supervise and control the betting market and bookmakers. Problem in Germany: No nation-wide agency possible like in France, Italy or GB due to the federal system (e.g. urban, communal regulatory agencies in cities)
- **12. Integrity delegates** in sports federations and betting providers / bookmakers for cooperation with law enforcement agencies

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Recommendations (1)

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- 1. Better **cooperation** between all stakeholders (law enforcement, sports federations, bookmakers/bookies, etc.)
- 2. Exchange of Information between law enforcement agencies in different countries, both on the formal and informal level
- Better knowledge about worldwide acting betting cartels and organized crime networks and structures
- 4. Monitoring systems must be re-structured and an independent body must overview and evaluate their work; early detection is crucial; uniform procedure for handling suspicious cases
- Investigations by using all tools incl. under cover agents on all levels and on all potential actors
- **6. Ombudsmen** or independent commissions, where people can anonymously report suspicious activities or observations

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Finally: The Way Forward

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- Betting fraud = organized crime
- Fight against trivialization and lack of awareness
- Really professional management of football associations (independent people from "outside")
- Public awareness and acceptability of investigations increased,
- · misleading information by media and associations contradicted
- Legislation concerning fraud in the sport and betting business should be equalized between countries
- Establishing of national regulatory authorities
- Simplification of legal and administrative cooperation
- Closer supranational cooperation between betting-companies, regulatory authorities, sport associations and law enforcement agencies
- Specified Unit within soccer associations like UEFA, DFL, DFB, security departments to protect and police the game!
- · re-structuring of investigation bodies

