

IN THE MATTER OF DISCIPLINARY PROCEEDINGS

B E T W E E N:

**WORLD PROFESSIONAL BILLIARDS AND SNOOKER ASSOCIATION LIMITED
AND
STUART BINGHAM**

DECISION ON SANCTION

1. This document sets out our reasons and decision on sanction in this case. The parties have already been provided with our reasons and findings regarding Mr Bingham's breaches of the rules and we shall not repeat them at length here.
2. We are grateful to the parties for their written and oral representations at the hearing on 11th October 2017. Both parties have been represented with considerable skill.
3. The parties agree that the sanction is at large.
4. There was a degree of dispute between the parties regarding the factual basis on which we should approach sanction. The nature of that disagreement is set out at paragraph 5 of the written submissions made on behalf of Mr Bingham. For the avoidance of doubt we accept the arguments advanced on behalf of Mr Bingham in that paragraph and we approach sanction on that basis.
5. Furthermore, we approach sanction on the basis that Mr Bingham did place bets himself on his own matches in respect of one betting company as set out in Paragraph 5 of the written submissions made on behalf of Mr Bingham.

6. We also consider that we are perfectly entitled to take into account the fact that Mr Bingham is seeking some professional help regarding his gambling. That is not the same as making any finding that Mr Bingham is suffering from a gambling addiction. We have no evidence on addiction that could sustain such a finding and we do not make it. However, the fact that Mr Bingham is seeking help is relevant and goes to his credit.

7. After taking into account the surrounding facts and circumstances we have reached the following conclusions.
 - 7.1 There is no suggestion at all that Mr Bingham's bets impacted on either his performance or the result of any match.

 - 7.2 The pattern of gambling was sustained over a long period of time.

 - 7.3 Mr Bingham accepted that he was aware that his betting was in breach of the rules.

 - 7.4 There is evidence that some efforts were made by Mr Bingham to hide the pattern of his gambling. In particular, we reference the nature of his exchange with Mr Purkiss on 15th November 2016 ("You do it in case it gets back to me!").

 - 7.5 We recognise that Mr Bingham co-operated immediately with the Board's investigations in that he handed over his mobile devices.

 - 7.6 Although there was an initial degree of dissembling we consider that by the time of the hearing at which Mr Bingham was cross-examined he represented as an essentially truthful witness.

- 7.7 We note the guilty pleas on a number of charges.
- 7.8 Notwithstanding the above we recognise that the Board was required to conduct a substantial level of investigation and incur costs in order to bring this matter to a conclusion. These costs would have been far less substantial if Mr Bingham had co-operated properly at the outset.
- 7.9 Disregard of the rules is a serious matter. The public are entitled to expect that participants in the sport respect and comply with the rules. This is the rock on which the integrity of the sport rests.
8. We therefore approach sanction on the basis that this is a very serious case albeit with some mitigation factors.
9. The Board considers that this is a case in which a temporary Suspension from the sport is required. The period of suspension being suggested at 6 to 9 months. The Board also seek consideration of a fine and some award of costs.
10. It is argued on behalf of Mr Bingham that any period of Suspension should not exceed 3 months and should be suspended on conditions. It was stressed to us that any period of suspension effectively removes Mr Bingham's ability to earn a living. We received submissions, through Counsel, on Mr Bingham's means to pay any fine or costs. We take this into account.
11. In the final analysis we consider this to be a serious case in which some form of Suspension is required. Mr Bingham's actions were taken with knowledge that he was in breach of the rules. His actions put the integrity of the sport into question. On any view this is very serious. It merits suspension.

12. However, we consider that the mitigation in this case is sufficient to reduce the longer period of suspension suggested by the Board. Furthermore, we consider that part of the suspension should be suspended provided certain conditions are satisfied. In the circumstances we impose a suspension of six months effective from 28th October 2017. Of this period three months and one day are themselves suspended until 31 October 2018 subject to Mr Bingham confirming that he will comply with any course of medical treatment recommended to him regarding his gambling and will commit no further rule breaches. Mr Bingham is under an obligation to co-operate with the Board to ensure that these conditions are being met. This means that Mr Bingham will serve an immediate suspension from 28 October 2017 until 26 January 2018 and the remainder of the six month periods of disqualification (three months and one day) will not be enforced provided he complies with the conditions identified above and provided also he is not found to have committed any similar breaches during the period ending 31 October 2018.

13. We do not consider any fine is appropriate because there is an inevitable financial impact arising from the Suspension. However, there should be a financial contribution made by Mr Bingham to the Board's costs. We are alive to Mr Bingham's position on cashflow and have tailored the payment terms accordingly. We consider £20,000 to be a fair figure for these costs. These costs should be paid in four equal quarterly instalments beginning on 26th February 2017.

Dated Monday 23rd October 2017

NICHOLAS RANDALL Q.C.

TIM OLLERENSHAW