

IN THE MATTER OF PROCEEDING BROUGHT
UNDER THE BETTING RULES
OF THE WORLD PROFESSIONAL BILLIARDS AND SNOOKER ASSOCIATION



Tim Ollerenshaw, Chair
Gordon McKay
Tarik Shamel

BETWEEN:

WORLD PROFESSIONAL BILLIARDS AND SNOOKER ASSOCIATION (“WPBSA”)

World governing body for Snooker and Billiards

-and-

DAVID JOHN
&
JAMIE JONES

Respondents

DECISION ON SANCTION AND COSTS

BACKGROUND

1. On 18 December 2018 the Disciplinary Committee of the WPBSA heard two disciplinary cases that were conjoined namely that of David John and Jamie Jones, both professional snooker players. Following the Hearing the Decisions in each case were handed down on 11 January 2019. A Summary of those Decisions is as follows:-

David John

1. *He had fixed the outcome of his match with Graeme Dott on 29 September 2016; and*
2. *He had fixed the outcome of his match with Joe Perry on 24 January 2017; and*
3. *He had failed to cooperate with the investigation by failing to provide mobile phone itemised billing.*

Jamie Jones

On or after 29 September 2016, he had failed to report the approach of [redacted] to David John to influence the outcome of David John's match with Graeme Dott as soon as reasonably possible. (Other charges as identified were dismissed).

2. The Disciplinary Committee reconvened by way of a telephone conference call on 18 January which was also attended by the same personnel who had attended the Hearing in December for the purpose of considering sanctions and costs. Various submission documents, as listed in the Schedule to this Decision, were put before the Disciplinary Committee in advance of the Hearing and during the Hearing both advocates made further oral submissions to the Committee. Mr John also made a short submission and confirmed during the Hearing that he had been made bankrupt on 12 October 2018.
3. As a result of all those contributions, the Committee has made the following Decisions:-

DAVID JOHN

Sanction

4. Much has been said in this case and generally about match fixing travelling to the very heart of the integrity of the Sport. That is not rehearsed here, save that it must be treated with maximum seriousness to protect the Sport.
5. Having considered all the authorities put forward and the points made by Counsel and Mr John, the Committee took the view that an appropriate Sanction in this case is a suspension of seven years, but that he be given a discount of 20% which equates to a net suspension of five years and seven months. Accordingly, Mr John is suspended for that period running from the date he was suspended by the Chairman of the WPBSA on 22 May 2018. He will therefore be unable to play until 23.59 on 21 December 2023. No fine (an additional sanction available to the Committee) is imposed upon Mr John.

Costs

6. A summary of costs was available to the Committee, and after further consideration the Committee decided that Mr John should contribute to the amount of costs in the sum of

£17,000.00. This is to be dealt with at the WPBSA's discretion in the future, although it is noted that currently Mr John will be bankrupt for a period up to at least 12 October 2019.

JAMIE JONES

Sanction

7. In the case of Jamie Jones, Counsel for the WPBSA Mr Weston referred to a number of cases and authorities and stressed that it was difficult to point exactly to a precedent that matches the particular circumstances and facts of this case: as had been noted by the Committee in the substantive Hearing and Decision, although Mr Jones had been found proven in respect of only the one matter to which he had admitted and other charges against him were dismissed by the Committee, on balance, nevertheless, the failure to report for a period of some two years was extremely serious: in such cases a penalty for failing to report ought to bear some relationship to the parallel fixing offence. There was no suggestion at all that Mr Jones had fixed any matches but he had been, though, acutely aware of the position in advance of the John and Dott match and on his own evidence he failed to do anything to reduce the risk of a fixed match occurring or to report matters to the governing body at an early or even later stage. Mr Weston referred to inter alia authorities from WADA. Although this is not a drugs case, he drew the parallel between the available sanctions for failing to report and the (primary) breach of actually taking unauthorised drugs. The Committee understands the parallel drawn.

8. Mr Harris representing Jamie Jones referred to a number of cases and made submissions which he said should inform the Committee in deciding that the Sanction should be significantly less than that put forward by the WPBSA. He also argued that in respect of the period during which the investigation had taken place, Mr Jones had not only confessed to the admission on the one matter at an early stage, but had also assisted in relation to the investigation process: This should also be put to his credit. Mr Harris said that in cases of this nature Mr Jones should be given a discount amounting to up to one third for his "guilty plea" and that that should be applied to a (reduced) starting point for considering the length of any suspension. Furthermore, bearing in mind that Mr Jones had been suspended by the Chairman of the WPBSA on 11 October 2018, he should effectively be allowed to play immediately. He referred to other cases (but the Committee did not consider them to be directly applicable

here). He made a number of other submissions including as to the personal impact on Mr Jones.

9. Regardless of any discrepancy of how the matter came ultimately to be reported by Jamie Jones' communications with the WPBSA (Paragraph 30 of the Charge Decision) the Committee notes again the long delay before his involvement was scrutinised. Mr Jones' advocate did point out that the period in the Rules expresses a 24 hours timeline for reporting and the Rubicon becomes quickly crossed, but the Committee took the view that the Player by reporting earlier than occurred could have prevented not only the Dott fix but also subsequent involvement by Mr John in other contraventions and in that way the Sport, and those connected to it, would have not have suffered the damage that it and they did.
10. Weighing all the points the Disciplinary Committee considered Mr Jones' failure to report to be significant and in all the circumstances that a similarly significant disqualification from playing should be imposed upon Mr Jones. Thus the appropriate length of suspension in this case should be one of 16 months but the Player should be given (for admitting to the charge) the benefit of a discount of 25%. Accordingly, the suspension should be reduced by a period of four months, thereby making a total net suspension of 12 months.
11. Taking into account the date of suspension imposed by the Chairman of the WPBSA, this means that Jamie Jones is suspended from playing until 23.59 on 10 October 2019 after which he will be free to resume his career.
12. The Committee did not consider it appropriate also to impose a fine on Mr Jones (which it had power so to do) and was very mindful that he is currently unable to earn income from Snooker.

Costs

13. The WPBSA made its Application for costs in respect of the Investigation and the Hearing apportioned as set out in the document referred to above under Mr John's case. This is one composite document that can be applicable to both cases. In effect, the costs of the WPBSA were sought as apportioned broadly $\frac{2}{3}$ rd to Mr John and $\frac{1}{3}$ rd to Mr Jones.
14. Mr Harris argued that not only should Mr Jones not have to pay costs to the WPBSA but he also pursued on behalf of his Client an Application for Costs to be ordered against the WPBSA on the basis inter alia that the WPBSA had brought a number of charges against Mr Jones,

most of which were dismissed; further coupled with the fact that Mr Jones had made an early admission he was, in effect, saying that Mr Jones should not only not have to bear any WPBSA costs but that the costs of Mr Jones putting his position forward should be placed at the door of the WPBSA. The point he made was that the actual result reflected in terms of what Mr Jones had been prepared to admit namely acceptance of one charge.

15. The Committee was taken to the provisions in the relevant Regulations that relate to costs.

16. The Committee took the view that it was entirely right and proper for the WPBSA to have commenced its detailed investigation to produce the information and evidence to enable the Hearing to take place and was compelled, for the benefit of protecting the reputation and good governance of the Sport, to undertake all these steps and processes through a Hearing. The Committee did not consider that the WPBSA had done anything other than that which it should have done and it was entirely right and proper in the circumstances of how the Investigation and Hearing had unfolded that it had incurred costs and that these should be passed on. It should be noted that there was no challenge in relation to the actual value of the costs on the sheet put forward by the WPBSA by Mr James (or Mr John). In passing the Committee also considered that the suspension of Mr Jones on 11 October 2018 was also an entirely appropriate step to take, although it had not been asked to adjudicate formally on that point. Ultimately Mr Jones was found to have committed a serious breach which resulted in a suspension. In the circumstances the Disciplinary Committee considers it right for Mr Jones to bear a proportion of the costs and therefore the Committee finds that he should make a contribution of £9,000.00 to the WPBSA's costs. The Respondent's cross application for costs against the WPBSA is hereby dismissed.

SUMMARY

David John

17. David John is subject to a suspension for the period commencing on 22 May 2018 and ending at 23.59 21 December 2023.

18. David John shall pay a contribution to the WPBSA's costs of £17,000.00.

Jamie Jones

19. Jamie Jones is subject to a suspension for the period commencing on 11 October 2018 and ending at 23.59 10 October 2019.

20. Jamie Jones shall pay a contribution to the WPBSA's costs of £9,000.00.

Tim Ollerenshaw, Chair

Gordon McKay

Tarik Shamel

6 February 2019

ANNEX

List of Submissions/Authorities

1. WPBSA Submissions on Sanction and Costs dated 21 January 2019 (and related case law and regulations)
2. WPBSA Schedule of Costs dated 23 January 2019
3. Submissions on Sanction sent on behalf of Jamie Jones dated 23 January 2019
4. Costs Application sent on behalf of Jamie Jones dated 23 January 2019