



Decision in respect of

JOHN SUTTON

**Hearing at the offices of the WPBSA, 75 White Ladies
Road, Bristol on Tuesday 24 March 2015**

Present:	Tim Ollerenshaw – Chair	}
	Gordon McKay	} Independent Panel
	Nicola Edwards	}
	Chris Hornby	Hearing Administrator
	Louis Weston	Counsel (WPBSA)
	Nigel Mawer	WPBSA
	John Sutton	in person

Witnesses:	John Duffy
	Anthony Nolan

The Case

1. This is the Decision of the Disciplinary Committee of the World Professional Billiards and Snooker Association (“WPBSA”) convened to hear the case against John Sutton in relation to alleged breaches of the WPBSA Members Rules Section 2_Betting Rules 2.1.2.1 and/or 2.1.3.1.
2. Specifically the allegations are set out in a letter dated 14 February 2015 sent by the WPBSA Disciplinary Committee to John Sutton. This confirmed that after an investigation into allegations of match fixing as a result of suspicious betting patterns reported by betting operators prior to John Sutton’s match with Jamie Burnett at the International Championship Qualifiers in Barnsley on 24 September 2014, the WPBSA had decided there was a case to answer. It said that there was evidence to indicate that John Sutton had breached Section 2 of the Betting Rules. Alleged breaches were set out:-

- “1. That you were engaged in an arrangement with John Duffy, Anthony Nolan and/or other persons from the Terry Rogers Snooker Club to fix the outcome of your match and/or aspects of your match with Jamie Burnett at the International Championship Qualifiers in Barnsley on 24 September 2014.

This is contrary to Rule 2.1.2.1. WPBSA Members Rules

WPBSA Members Rules – Section 2 Betting Rules

2.1.2 Corruption

2.1.2.1 *to fix or contrive, or to be a party to any effort to fix or contrive, the result score, progress, conduct or any other aspect of the Tour and/or any Tournament or Match;*

2.1.3 Misuse of inside information:

2.1.3.1 *to use for betting purposes, or to provide to any other person for such purposes, any information relating to the Tour and/or any Tournament or Match that the Member possesses by virtue of his position within the sport and that is not in the public domain or readily accessible by the public;*

The circumstances are that there was betting on the match in question that appeared suspicious to certain betting companies by reference to the geography where the bets were placed and that sums placed on your

opponent to win were disproportionately and suspiciously large, both by amounts placed on other matches in the tournaments concerned and were also disproportionately large compared to the stakes usually placed by the individuals concerned and that the incident or outcome that were bet on (namely that you would lose the match by a particular score) took place.

It is alleged that you have engaged with different individuals or groups of individuals in relation to the match under suspicion and that you have agreed or otherwise procured the outcome of the match required to enable those placing bets against you, to win. The main group involved were John Duffy, Anthony Nolan and others from the Terry Rogers Snooker Club in Dublin.

Shortly after your contact with John Duffy, he and others from the Snooker Club placed bets on the outcome of the match that you were to compete in. That the betting of these persons was considerably in excess of their previous betting history is a clear indication that they had knowledge of or belief in the outcome of the match.”

Background

3. The background to the case is set out in more detail in the Case Summary dated 6 March 2015 prepared by Nigel Mawer of the WPBSA (who for the purpose of these proceedings it should be noted played no part in the consideration and outcome of the Decision of the Disciplinary Committee) after a vigorous and comprehensive investigation.
4. The Case Summary referred to a significant number of documents and pieces of evidence which had been presented to John Sutton during the course of the proceedings and which formed a Bundle of documents in excess of 440 pages which was utilised at the Hearing. This included a number of Witness Statements and their exhibits :-

Nigel Mawer – Vice Chairman WPBSA

Jake Marsh - ICSS

Jason Ferguson – Chairman WPBSA

Nick Oliver – Gambling Commission SBIU

Tom Chignell – BHA Betting Expert

James Gardner – BHA Analyst

Brendan Moore – WSL Referee

Neal Foulds – Snooker Expert

Simon Cullis – BetFair

David Jen – BetFair

Karen Watson – BetFair

Alan Glynn – Paddy Power
Martin Clark – WSL Tournament Director

5. We do not repeat all of the Case Summary again here but highlight the following paragraphs from it:-

“1. John Sutton is an amateur snooker player. He plays snooker on the amateur circuit in Ireland and competes in World Snooker events as an invitee if there are spaces available at a tournament where insufficient professional players have entered. He is bound by the Rules of the World Professional Billiards and Snooker Association Limited (WPBSA) by virtue of his acceptance of the conditions to enter tournaments and by signing a World Snooker Limited (WSL) Amateur Players Contract.

4. In short form Sutton either agreed to lose the match and by a particular frame score and then he did so, or he passed information that allowed his associates to place bets on the likely outcome.

5. The agreement for Sutton to lose the match by the exact score was with associates and/or friends of Sutton and used by them to place bets on the outcomes of the match on internet betting sites and in Bookmakers. Alternatively he passed information to his associates and/or friends that allowed them to place bets on the outcomes of the match on internet betting sites and in Bookmakers.

6. Sutton played out the match in accordance with the information that he passed so that the bets placed by the Bettors were successful. He allowed himself to lose the match by a particular Frame score to secure the bets of the Bettors

The Match

9. On Wednesday 24th September at 7.30pm John Sutton played Jaimie Burnett in the Qualifying Tournament for the International Championships to be played in Chengdu, China. The qualifying match was at the Metrodome Barnsley. Jaimie Burnett won the match by six frames to nil.

John Sutton

10. John Sutton..... is a married man with four children. In 2014 he entered Qualifying School to attempt to obtain a Tour Card to enable

him to compete on the World Snooker Professional Snooker Tour for two years. He narrowly missed out on winning a tour card and was placed on an order of merit. This means that where there are not enough entries to a tournament from professional players, places are offered to others including those on the order of merit. This was how he was able to play in the International Qualifiers at Barnsley.

11. All players who compete in WPBSA sanctioned events are subject to the WPBSA Members and Disciplinary Rules. The rules only extend to players and members; they do not include managers or sponsors of players unless they are members. On 26th May 2014 John Sutton signed a WSL Amateur Players Contract (exhibit NM18b) that enabled him to enter WSL events for the 2014-15 season. The contract includes the following sections:

3. *Obligations of the Player*

General Obligations

In consideration for the Player being invited to participate in the WSL Events the Player shall

- i. Comply at all times with and remain subject to any and all applicable rules and regulations and the jurisdiction of the WPBSA.*
- ii. Comply at all times with the WPBSA Betting Rules as amended from time to time by the WPBSA.*

22. The WPBSA's case is that the evidence of the Betting, identity of the Bettors and meeting between Sutton and Duffy of itself demonstrates and establishes the match fixing that is alleged against Sutton and his play in the match fell short of what would have been expected.

The Betting

36. The Betting evidence in this case leads to the conclusion that the Bettors had Information as to the outcome of the Match that Sutton provided.

39. The betting has been the subject of analysis by Tom Chignell who is submitted to have expertise in the subject matter of betting and John Gardner who has analysed and summarised the data from that betting.

41. The betting evidence shows that the betting on this match showed all suspicious betting characteristics as defined by Tom Chignell in his statement:

- a) The depositing of a large amount of funds into betting accounts in preparation to place a substantial bet. This method is often referred to as account loading and is often used before a corrupt bet is placed.
- b) When an account places a bet on a sport outside their usual betting patterns. This can be an indicator that the bet is for someone else rather than the registered account holder or that the account holder has received some information about the event which has prompted them to bet differently to their normal approach.
- c) The timing of when bets are placed can be a significant characteristic. The coordination of a large number of bets placed within in a few minutes of each other demonstrates a large amount of organisation and planning.
- d) Bets placed which are out of character to the accounts usual betting behaviour. Four example when an account places a bet for a stake which is significantly larger than the average for the account. This can be an indicator that the bet is for someone else rather than the registered account holder or that the account holder has received some significant inside information about the event.
- e) Placing the maximum amount of money allowed by a bookmaker to an individual customer on a selection. Some customers get offered different stake limits to other customers depending on their previous betting history and their perceived risk to the bookmaker.

64. There is no sensible explanation for the betting and it can properly be inferred that the general public (including those interested in snooker and gambling on it) did not reach the same conclusions or have the same confidence on the outcome of the match as the Bettors associated with Sutton did.

67. On Monday 22 September at 19.53 there was a Facebook private message from Terry Rogers Snooker Club that said “*are u around in the morning*”. John Sutton replied at 19.58 “*Yeah playin Tiger at 12... everything ok?*”. At 20.04 Terry Rogers Snooker Club said “*Yes pal can you come in at 11.30 for a chat*”. John Sutton replied “*Yeah will do*”. (Exhibit JM2). Sutton accepts that this message was from John Duffy. Despite being asked as to when he had last seen John Duffy before the match, he did not mention this meeting until he was shown the Facebook private message exchange between him and John Duffy (exhibit JM2). He then agreed that the meeting took place between 12 noon and 1.00pm (interview NM4a page 12-13). He denied that it was to do with the match but that it was to do with taxi licences. He thought that the taxi licences were a bit dodgy so he did not want anything to do with them.

The Case

74. In simple terms the case is this.

- a) Sutton is sponsored by Duffy and cannot afford to compete without Duffys’ support as he is short of funds and regularly overdrawn. Duffy had expended money on his sponsorship of Sutton and the betting on this match represented an opportunity to recoup this money and make additional profit.
- b) Sutton describes Duffy and others at the snooker club as shady characters involved in illicit activity and he did not socialise with them because of this.
- c) Duffy called Sutton to a meeting the day before his match where it is suggested that the agreement was struck to fix the match. Duffy and Nolan then coordinate betting on Suttons’ match with a preferred score of 6-0
- d) Duffy and the other Bettors would recoup 37,500 euros from a 6-0 defeat of Sutton.

- e) Sutton purports to have food poisoning on the day of the match and loses 6-0, despite having the opportunity to win at least two frames.

75. The betting identified in this case is extraordinary in its size and success. The close link in time between the meeting between Duffy and Sutton and the depositing of money in the betting accounts, the opening of a new account by Savage and the subsequent betting is established conclusively by the Facebook evidence, the betting evidence and by Sutton in interview. There are clear and accepted connections between the Bettors and Sutton. There is the betting that is out of character for the betting accounts and exhibiting all the suspicious characteristics as outlined by Chignell. The only conclusions that can be drawn are that Sutton agreed to arrange the match outcome or passed information so that the Bettors would have complete confidence in the match outcome.”

6. The brief history of the formalities of the proceedings is summarised as follows:-

14 October 2014	WPBSA letter to John Sutton notifying him of suspicious betting patterns and a WPBSA enquiry requiring co-operation with an investigation
14 February 2015	WPBSA letter to John Sutton setting out allegations and charges
February 2015	WPBSA letter to John Sutton (sent by Jason Ferguson, Chairman WPBSA) notifying suspension from all WPBSA supported events
20 February 2015	Notification of Disciplinary Committee Chair appointed
25 February 2015	Directions given at telephone hearing for determination of Case
6 March 2015	Service of Case Summary and supporting papers by WPBSA (including witness statements and exhibits)
9 March 2015	Notification of Hearing details
13 March 2015	Response of John Sutton denying allegations.
22 March 2015	Service of two witness statements on behalf of John Sutton (prior to set deadline of 10.00 on 23 March.
24 March 2015	Hearing

7. At the Hearing John Sutton confirmed that he was representing himself, that he had two witnesses to call who had provided written (and signed)

statements and that he accepted all the witness evidence put forward by the WPBSA and contained in the Bundle and did not require the production of any of those witnesses for cross-examination. He was asked specifically if he understood the standard of proof applied to these sorts of cases – the balance of probability – and he confirmed clearly that he understood this. It should be noted that this had also been explained to him previously during the investigation in interview with Nigel Mawer. The charges were formally put to him and he confirmed that he denied them.

WPBSA case Submissions

8. Louise Weston, on behalf of the WPBSA opened the case and made the points set out in the follow paragraphs.

9. He introduced a document from the unused material namely a photograph of a text message held on John Sutton's mobile telephone received from his wife timed at 12.42 on 23 September 2014 which read "Are u wearing concrete boots".

10. Louis Weston said that the WPBSA would seek to prove that John Sutton lost his match with Jamie Burnett on 25 September 2014 in Barnsley on purpose at a score of 0-6 and in collaboration with Bettors (principally John Duffy and Anthony Nolan) in advance of the match.

11. Bets were placed across the market by a number of associates of the Terry Rogers Snooker Club (the name commonly given to the Fairview Snooker Club in Dublin owned and managed by John Duffy) on the basis of:-

- a) frames score
- b) total frames played
- c) winning margin bets

All bets would win from a 6-0 loss for John Sutton.

12. The betting activity of the Bettors was not in keeping with their normal betting behaviour. In the period before the match they were placing very significant amounts of money in accounts to set up the position for the bets to be placed subsequently. Betting accounts were opened for the purpose of betting on the match and other accounts which had been dormant or unused were re-activated. The general activity across the market (or lack of) did not match that of the Bettors referred to in the Bundle. This pointed to a pre-meditated process of betting, not an impulsive one.

13. Mr Weston outlined the anticipated explanations of John Sutton in his Defence that he would state that he was suffering from a hangover from the previous weekend and that keen Bettors John Duffy and Anthony Nolan were eagle-eyed gamblers who saw a great opportunity to beat the Bookmakers.

14. Louis Weston then referred to a chart with the Bundle setting out a timeline of events and betting between 22 and 24 September 2014 which showed key dates, events and betting transactions. (This is known as an I2 Chart and was an exhibit to the statement of James Gardner an analyst at the British Horseracing Authority. John Sutton had received a Facebook message from John Duffy on 22 September 2014 asking if he was available for a meeting the next morning. John Sutton had confirmed he was attending the Club to practice with another player TJ Dowling (“TJ”). According to John Sutton the time of the meeting was nearer to noon than 11.30 (this was the meeting that had prompted the text from John Sutton’s wife (who did not know John Duffy or Anthony Nolan).

15. The betting accounts were loaded and the next day (24 September) John Sutton arrived in the UK early in advance of the match and went to his hotel. Unable to check in immediately he went to the venue in Barnsley and then had a [REDACTED] meal which made him feel worse.

16. A wide spread of bets were placed with several betting companies and at Betting Shops, all bets to be successful if John Sutton lost 6-0. John Sutton informed the Match Referee that he felt unwell and the Tournament Director was also informed. The WPBSA’s case is that all the betting occurred before John Sutton first published a message to his Facebook friends as to how he was feeling (17.06).

17. Louis Weston submitted that there had been concealment and lies. The Bettors placed bets at just below the maximum sums allowed and across the market so as not to alert the Bookmakers. The statements obtained by WPBSA showed that some of the Bettors shared cookies (technological traces) and the likelihood was that there were one or two people operating on behalf of all the Bettors who were spreading the amounts across the market and concealing who was actually betting. The bets were placed across different online accounts and betting shops. This was done to conceal the amount of bets.

18. The second lie was the supposed illness of John Sutton at the time of the match (evidence for which was only verbal and not supported by medical or other evidence). This had not affected the betting and was a ruse.

19. Thirdly, Louis Weston said that the argument put forward by John Sutton’s witnesses that these Bookmakers had set the odds of the match wrongly was also not the truth. John Sutton’s witnesses’ position was that

they had been eagle-eyed and viewed the odds on the match as very attractive, hence the level of betting. The witness statement of Mr Tom Chignell described how the odds for a match are set and there was no substance in this argument that the Bookmakers “got it wrong”. Not all Bookmakers use the same body or method to set the odds. Therefore the three Bookmakers concerned set the same odds for the match but independently of each other.

20. Louis Weston said that when first interviewed by Nigel Mawer on behalf of the WPBSA, John Sutton had made no mention at all of the meeting between him and John Duffy on 23 September. He had concealed it. John Sutton had only referred to the meeting when it was brought up at the interview with Nigel Mawer on 4 February when its occurrence came to the WPBSA’s attention after they had accessed his Facebook account with his permission and discovered the message (which had since been deleted and which deletion could only have been implemented by two people namely John Sutton or his wife).

21. As to the match itself, this had been analysed by Neal Foulds (ex player and current match analyst/commentator) who had provided a statement. Neal Foulds’ evidence (which was not disputed by John Sutton) was that in Frames 1, 3 and 5 there were shots which could have been taken by John Sutton but which he had not. This had surprised him.

22. Overall the evidence showed overwhelmingly that John Sutton agreed to lose the match 6-0 and in collaboration with the Bettors.

23. Louis Weston indicated that he would not read out the body of evidence in the Bundle but drew the Panel’s attention to Tom Chignell’s evidence including that at page 76 of the Bundle on the issue of handicap betting which – as Paddy Power had a maximum bet of 50 Euros on the 6-0 win by Jamie Burnett – enabled the Bettors to place more money across the market without detection.

John Sutton’s Case Submissions

24. John Sutton indicated that he had three witnesses, himself (and the transcripts of his interviews with Nigel Mawer and Jake Marsh were in the Bundle), John Duffy and Anthony Nolan who had produced statements prior to the Hearing.

25. He said that the last few months had been traumatic for him and his family. His ambition had always been to compete at the top level. When he had been given the opportunity to attend Q School he considered this to be a massive honour. He had competed on the Irish Amateur scene between 1996

and 2015 and had never won any Irish ranking event. He had never won any major tournament. He competed at the World Under 21s and reached the last 16 in the Euros in 1999 in Egypt. In the PTCs he had lost against every professional he had competed against (including Stephen Lee (1-4), John Higgins (2-4)) and believed he had played well.

26. In 2012 he had entered three events and lost 4-3 against Jo Waller. He went to Q School in 2014 and Terry Rogers Snooker Club had paid his entry fee. He paid for the accommodation himself. Terry Rogers Snooker Club had wanted to build a team to enter the All Ireland Championship with Martin McCrudden, TJ and himself and contributed towards the costs of some Tournaments. He did well at Q School and when he got back he signed a contract to go to the Wuxi (Classic) and Australian (Open) qualifiers in Gloucester. He had paid his own entry fees and accommodation for these. He stopped work for between six-eight weeks before Q School and so then had been able to practice twice a week on the Star Table at the Terry Rogers Snooker Club. He lost 2-5 to Michael White at Wuxi and 3-5 to Lee Walker in the Australian.

27. On return from Q School he had taken a sales job for three months with [REDACTED]. He had been on three months' probation with a view to extending the contract by up to four months to cover someone's maternity leave if he passed the probationary period. The job was full time (8.30 – 5.30) so he had been unable to put in much snooker practice. He said he was a family man with four children.

28. He had then played in a Tournament in Latvia (August 2014) and won two matches. He won prize money of around 700 Euros for this. He lost his final match 0-4 to Ricky Waldron.

29. At the end of August 2014 he had been offered a further four months work with Richmond Marketing but understood from World Snooker that he could receive invites to some professional competitions for the rest of the season. Also, because he had five dependants (his wife as well as the four children) he was better off on welfare benefits than if he had continued working for [REDACTED]. He therefore declined the job offer. This freed him up to concentrate on snooker.

30. The weekend before the Barnsley match on 24 September, he and TJ had travelled to Nenagh in Tipperary to play in an amateur competition. There had been 32 players in all. Terry Rogers Snooker Club had given TJ the money for the entry fees. John Sutton had won two matches and finished his first game by 1.00 pm on the Saturday. He went to the pub and drank for the rest of the day. The following day he lost 1-4 to Rodney Goggins. He went back to

the pub and spent the whole day drinking again. He returned home on Monday 22 September.

31. He had found out that he was to play in the Barnsley Tournament about 10 days before the Tournament, but said that he had had no preparation time for the Tournament.

32. John Sutton referred to the meeting at Terry Rogers Snooker Club on 23 September and stated that he had not mentioned it at the time of the interviews by WPBSA as he had not considered it relevant because it was not snooker related. He was unemployed and some time before the meeting he had asked at the club about taxiing. He had been hoping to get cash in hand for taxiing locally in Drogheda. The meeting was about the prospect of taxiing but John Duffy could only help with information about obtaining a taxi licence in Dublin and so it was no good to him. The meeting had been brief about the taxiing. They had also chatted about the Tournament in Nenagh and any gossip.

33. The next day he flew to Barnsley. He paid his own entry fee of £400, his flight, accommodation and car hire. He was still hungover and he had tried to check in early at the hotel but there were no rooms ready so he went to the Tournament and watched a match. He then went and brought a [REDACTED] meal which he did not finish. He saw Ricky Waldron in [REDACTED]. He went back to the hotel and asked if they could let him into a room early as he was not feeling well and wanted to lie down. He said that they had so he was then in his room for one and a half hours and was sick once. He had exchanged messages with TJ. He went to his match and told the Referee out of courtesy that he may need to use the toilet during the match as he was not feeling well and asked how to leave the playing area. He also similarly told Martin Clark, the Tournament Director. He played the Match and lost 6-0.

34. Jason Ferguson (Chairman of WPBSA) then told him after the match about the betting that had been suspended. John Sutton said that he had been angry that he had not been told before and said that he practically threw his phone at Jason Ferguson and told him he could check anything on there and he could have access to his Facebook, Gmail and bank accounts.

35. John Sutton said that he had played two significant events since Barnsley including against Ding Junhui which was a massive highlight for him. He had lost that 6-0. He understood gamblers had bet against him again in that match as well. This made John Sutton very angry.

36. John Sutton stressed again that this investigation had been a nightmare for him and his family. The allegations had been reported on Sky and in the Irish Press and he felt he could not look for a job due to this hanging over him.

He had felt great frustration and anger as a result of being linked to this betting.

John Sutton's Witnesses

37. John Sutton's witnesses were himself, John Duffy and Anthony Nolan. His own witness statement was effectively the transcripts of the two sets of interviews which he had had with Nigel Mawer (with Jake Marsh assisting) on 16 October 2014 and 4 February 2015. The statements of John Duffy and Anthony Nolan were delivered prior to the deadline set and comprised approximately one page each and were signed and dated just prior to the commencement of the Hearing. The evidence is summarised in the following paragraphs.

(1) John Sutton

38. John Sutton accepted his evidence in chief as being the transcripts referred to in the above paragraph.

39. The first interview largely contained the detail of John Sutton's background and playing history and the connection with Terry Rogers Snooker Club and John Duffy. It also dealt with how John Sutton came to be involved in the Barnsley qualifying event apparently 10 days before; and the events surrounding his attendance at Barnsley including how he said he felt. It also dealt with his mobile and social media history and communications with people at the Snooker Club after Barnsley. John Sutton had been asked if he had been put under any pressure or threat: he said he had not but emphasized the draining nature of the whole affair and its effect on him subsequently. John Sutton had also confirmed his agreement for the investigators to look into his phone and bank records. The nature and value of the bets were explained.

40. The second part of the first interview took place after the examination of the social media histories and messages including the Facebook messages posted by John Sutton by him around 5.00 pm on the day of the match about his feeling unwell and after the bets had been placed on him to lose. He had stated clearly that he knew he had not done anything wrong. He was asked how certain the Bettors were of John Sutton losing 0-6 and he had said that they had told him that they had seen him lose another match to another professional Ricky Waldron and that he was not as good as Martin and TJ. He had also been informed at the end of the interviews on 16 October about being watched by someone specifically in the audience.

41. At the second series of interviews on 4 February 2015 (Nigel Mawer and Jake Marsh) after a recap of previous matters John Sutton had been told of the

possible breaches of the WPBSA Betting Rules and he had gone through the history of practising at the Terry Rogers Snooker Club and when he may have seen John Duffy prior to Barnsley. His finances were reviewed again and how he had first become involved with the Club and then the contributions that had been made by way of sponsorship including in relation to Q School.

42. The interview had then dealt with the bets and the volume of the betting and his relationship with Anthony Nolan and John Duffy. It then moved to deal with the Facebook Account and in particular a message from John Duffy received by John Sutton on 22 September two days before the match. John Sutton said that this had related to a proposed meeting about taxi licensing. He said that the meeting actually took place between noon and 13.00 and lasted about 20 minutes, although it was pointed out that after this the full scale betting process started on the match. There had then been discussion about the subsequent deletion of the Facebook message about the meeting. He denied that the meeting had been anything to do with match-fixing. Then the interview had dealt with his communications with members of the Snooker Club after Barnsley and his attendance at the Club and how this had all affected him subsequently.

43. The second part of the second interview had dealt with the match analysis by Neal Foulds, the volume of the bets and concerns about possible duress on him.

(2) John Duffy

44. John Duffy's evidence is contained in an email dated 22 March and signed on 25 March. The thrust of it is that he is a heavy gambler and the level and nature of these bets were not out of character for him. Crucially he says that the Bookmakers "got [their] odds wrong" and he decided amongst his colleagues at the Club to take advantage of this before they altered their odds.

(3) Anthony Nolan

45. Anthony Nolan's evidence is contained in an email dated 22 March and also signed on 25 March. He states that the Bookmakers "got [their] price well wrong" and that there was only ever going to be one result: he could not believe it when he saw the prices bearing in mind the gulf between professionals and amateurs. As the Bookmakers were caught out they would not now pay out.

Cross Examination of John Sutton's witnesses

46. This is summarised and dealt with below.

WPBSA Closing Remarks

47. Louis Weston summarised the WPBSA's case.

48. He said this match was of great importance to John Sutton and in which he saw himself as having a real chance (page 97 of the Bundle) as indicated to Nigel Mawer in interview. He had given up his job. Why would anyone risk this by drinking all weekend and having a three day long hangover. He said there was no truth in that.

49. Page 102 and page 339 showed Sean Tigue's betting was truly exceptional. Never before had he bet those sums.

50. He said that the account of the meeting and that it related to taxi licences was incomprehensible and untruthful. John Sutton and John Duffy had contradicted themselves with the area of the City they had talked about (North and South Dublin) and John Duffy had no power to grant licences. John Duffy and Anthony Nolan did not say that John Sutton was looking ill, but that their betting had been inspired by the odds. They had said that the bets were placed because of the odds and took the decision to load the accounts before they had seen the odds.

51. He said that the evidence shows that there was a concerted effort to achieve the highest number of possible bets. They had filled all the accounts before the match. John Duffy and Anthony Nolan had agreed with or persuaded John Sutton to lose 6-0.

52. The text sent to John Sutton by his wife showed that she was worried her husband was in some form of trouble. He said that the proposition that Mr Sutton did not reveal to the WPBSA that a meeting took place the day before the match, because it had nothing to do with snooker, was mendacious.

53. The meeting fitted much better, on the balance of probabilities, with a discussion about the match. Sean Tigue puts thousands into his account to bet. All the betting was on 6-0 or a range of other bets to produce the same result. If they thought John Sutton had had a chance they would have bet on other outcomes. They had no reason to believe that Jamie Burnett would not lose a Frame. The Bettors got together and if Mr Duffy was off playing golf his account was loaded by someone else.

54. He said that the evidence of Anthony Nolan and John Duffy was that John Sutton was bound to lose. It beggared belief that he could not win a Frame. He had been on the Q School programme and was invited to the Tournament. He could have gone further. They knew what he could do: there was nothing unusual about John Sutton and nothing which suggested he was not playing well.

55. He said that the evidence all drove to a clear conclusion that John Sutton agreed to lose this match. The outcome for them in risking €18,000 was a potential win of €55,000. What brought John Duffy and Anthony Nolan to the Hearing is that the Bookmakers would not let them have their money.

John Sutton's Closing Remarks

56. John Sutton said that it was ludicrous and preposterous that he was even here. He said that he had done nothing wrong. The case revolved around gamblers coming together as they did not fancy him to win and betting heavily against him. It also revolved around a five minute meeting he had had with them. He said that he had had to sit here and listen to how useless he was and how he had won nothing. Actually they had thought he had no chance of winning.

57. He said he could not get a job and this was defamation of his character. As a married man he had been in a profession for 10 years and now he could not get a job in it. He had always wanted to be a full time snooker player. He had had an amazing opportunity which felt like him winning the lottery when he had a chance to play in the match so why would he jeopardise it? He had stood to win £3,000 in the Tournament. He had been a pawn in everyone's game and would not let it lie.

Disciplinary Decision

58. The Panel has considered all the evidence put forward on behalf of all the Parties to this case. While it is noted that John Sutton accepted the WPBSA evidence in full in that regard, in instances specifically where contrary evidence was put forward by him or on his behalf, we have approached this on the basis that he would want that to be preferred to that part of the WPBSA evidence he had accepted wholesale.

59. The Members of the Panel have also considered the anomalies that have arisen in the Defence's case both regarding how it was put and in regard to the witness evidence of John Sutton, John Duffy and Anthony Nolan as tested under cross examination or in comparison to the other evidence in the case as follows in the next paragraph.

60. During the course of cross examination by Louis Weston of John Sutton and the two witnesses called on his behalf a number of significant anomalies in the evidence and answers to questions arose as follows:-

John Sutton

- a) Why there had been no mention of the Facebook message sent by John Duffy to John Sutton requesting a meeting until it was brought up a good way into the second series of interviews between Nigel Mawer, Jake Marsh and John Sutton on 4 February 2015 and only dealt with when raised by the interviewer.
- b) Why if he was going to the Club anyway on the Tuesday (23 September) to practice did John Duffy specifically send him the message about meeting up.
- c) What, if the meeting on 23 September was about taxis, John Duffy could actually usefully do for John Sutton in this regard. John Duffy had no authority to give out licences.
- d) The inconsistencies about the geographical areas John Sutton and John Duffy had identified in relation to the taxi discussion.
- e) Why would John Sutton's wife send him the text message "Are u in concrete boots" if the meeting was about taxi licensing.
- f) At the meeting on 23 September John Sutton said that they had not discussed Barnsley in any detail yet this was clearly a big opportunity for him. It must realistically have been a topic of conversation that the parties would have covered.
- g) His recollections of the meeting on 23 September were surprisingly inconsistent at the time he was asked about it in interview on 16 October ie just over three weeks later. Paragraph 68 of the Case Summary further identifies the differing accounts of the meeting on 23 September at the Terry Rogers Snooker Club.
- h) Why if this was John Sutton's big chance (to play at Barnsley) had he gone on a massive drinking session the weekend before that resulted in a hangover that he said lasted for days. Also why would he not be practising rather than spending time at home with a hangover with four children.
- i) The position over his hangover which in the absence of any other medical condition, was unlikely to have lasted for so long.
- j) Why at Barnsley he decided to eat a chicken meal if he was feeling so ill (and claimed to be suffering from food poisoning at the time). Food poisoning had been mentioned widely at the time of the match by John Sutton including to the Tournament Director but was not presented in the same way at the Hearing

- k) The position after the Barnsley match John Sutton had severed connections and indicated that he was not friendly with people at the Snooker Club after the match but the Facebook history shows there was still a good deal of cordial communications after that. (See paragraph 69 of the Case Summary)
- l) The position over the deleting of the Facebook message subsequently (mentioned in interview) which can only have been actioned by John Sutton or his wife and could not have been done easily or accidentally. (Paragraph 69 of the Case Summary).

John Duffy

There is no doubt that John Duffy is a serious gambler. John Sutton asked him why he had bet against him, but in cross examination:-

- a) he was vague as to when he found out the odds for the match;
- b) he initially said he could not recall the meeting that took place on 23 September at the Terry Rogers Snooker Club and preferred it to be referred to it as a “chat”;
- c) he played down the level of discussion about the upcoming Tournament at Barnsley when it was likely to have been something they would have talked more about. He said he did not remember discussing Barnsley, maybe he said “Good Luck”. This version of events was not convincing;
- d) he was unconvincing regarding the discussion about taxis when on his own evidence he could not really offer any significant help to John Sutton about them;
- e) he did not appear to have considered indepth the form of John Sutton’s opponent (Jamie Burnett) prior to the match, but still felt apparently confident enough to bet heavily on a 6-0 win for Burnett;
- f) he contended that all the Bookmakers concerned made the same mistake in fixing the odds for the match (yet the general betting public seemed not to take the same view that the odds set were a gift). His proposition on this was not convincing and contrary to the expert betting evidence put forward by the WPBSA.
- g) although he acknowledged that he was able to control Anthony Nolan’s betting account he was vague about how he placed bets in

the afternoon of 24 September when he says he was playing golf at a course about 20 minutes away. He said he was able to place bets easily using his mobile .

- h) He was not convincing when asked a question about instances of amateurs taking frames off professionals in Tournaments. John Sutton does not seem to the Panel to be such a poor player having narrowly missed out on obtaining a full Tour Card and had every chance of taking a Frame off a professional.

Anthony Nolan

- i) John Sutton having asked the same questions as to why Anthony Nolan had bet against him said that there was a gulf in class between amateurs and professionals and in Latvia (the tournament in August 2014) none of the amateurs had won a frame.

The inconsistencies in relation to his evidence were:-

- a) he said he only vaguely remembered the Barnsley Tournament, but he could remember that he could not believe the prices offered (on the match);
- b) he found out about the betting prices when he went into the betting office next door to the club, but he accepted that he had significantly loaded his account prior to finding out the prices;
- c) he denied being on the same computer as John Duffy when placing bets on the match result which is contrary to the cookie evidence. He could not remember whether he and his friends had bet in the same place or the same device but said he believed he had bet on his own.
- d) he was overall inconsistent and unconvincing.

61. The answers of John Sutton's witnesses given under cross examination when compared to all the other evidence provided in the case has drawn us to the conclusion that the evidence of John Sutton's witnesses is in many respects unreliable. In particular the primary thrusts of John Duffy's and Anthony Nolan's statements that the Bookmakers erred when setting the odds is highly unbelievable. We are not convinced as to John Sutton's explanations as to the meeting at the Club, his elongated handover and matters relating to the match.

62. In the circumstances the Panel prefers the evidence of the WPBSA to that put forward by or on behalf of John Sutton as to what happened at the crucial times in this case. In particular, the evidence and conclusion of Tom Chignell (Principal Betting Investigator with British Horseracing Authority) seems to us to provide a much more likely and compelling explanation of what happened in this case. Paragraph 41 of the Case Summary (see above) summarises this.

63. We agree that a total of 58 bets placed in a period of 44 minutes on 24 September - a significantly unusual pattern utilising relatively high sums - demonstrates a structured and co-ordinated approach to placing the bets particularly in the context of very little other interest in the betting market generally (see again paragraph 64 of the Case Summary referred to above).

64. We should, and do, take into account the whole range of evidence available in forming a conclusion. We have weighed together the betting evidence, the witness statements (including John Sutton's interview transcripts) and cross examination evidence as set out above, the match analysis (of the expert supported by the match referee) and the phone and social media evidence as well as the connections between the Bettors (and the geographical proximity of them). We have also taken into account the evidence relating to John Sutton's difficult financial position, the sponsorship and reliance on it for him to compete.

65. Considering all this together we find that on a balance of probabilities that:-

- a) John Sutton agreed with and confirmed to a Bettor or Bettors that he would fix or contrive the result of his match with Jamie Burnett at Barnsley on 24 September 2014; and
- b) Further that John Sutton agreed with and confirmed to a Bettor or Bettors that he would fix or contrive the result of the match with Jamie Burnett at Barnsley on 24 September 2014 by a score of 6-0 to his opponent; and
- c) this arose as a result of (or was confirmed at) the meeting that took place at the Terry Rogers Snooker Club on Tuesday 23 September attended by John Sutton and John Duffy; and
- d) John Sutton did fix or contrive the match result; and
- e) John Sutton did fix or contrive the match score.

66. This means that we also find that there have been breaches of both Rule 2.1.2.1 (fixing or contriving) and Rule 2.1.3.1 (provision of information) of the

WPBSA Members Rules Section 2 Betting Rules and therefore that the WPBSA case is proven on both fronts.

67. The consequence of this is that 1.2 of the Members Rules Section 2 – Betting Rules comes into play in relation to the applicable Sanction:-

“1.2 Any proven breach by a Member of the provisions of 2.1 below will result in a lifetime ban from involvement in the game of Snooker and Billiards for that Member, save in circumstance where the relevant Member can show clear and exceptional mitigation.”

Accordingly and in view of the potential seriousness of any penalty (including a lifetime ban) we need to consider further detailed representations with regard to that Rule including as to:-

- 1) whether there are any clear and exceptionally mitigating circumstances we should take into account; and
- 2) What sanction is appropriate in this particular case.

68. To deal with paragraph 67 we require both Parties to provide detailed written representations (with any supporting authorities that will assist the Committee) by 4.00 pm on Tuesday 21 April which should address the questions set out in Paragraph 67 and as to what should be the appropriate penalty which should apply in this case.

69. The Parties are also invited to address us (again with representations in writing by the same deadline of 4.00pm on Tuesday 21 April) on the question of the costs of these proceedings and (if we make any orders in that regard) who should bear them.

70. We will fix a date for (and the method of) the reconvened Hearing of this matter to decide upon Sanction and costs and notify the Parties accordingly.

Tim Ollerenshaw

Nicola Edwards

Gordon McKay

