

**IN THE MATTER OF PROCEEDINGS BROUGHT
UNDER THE ICC ANTI-CORRUPTION CODE**

Between:

THE INTERNATIONAL CRICKET COUNCIL

and

MR PARAG SANGHAVI

Decision pursuant to Article 5.1.12 of the ICC Anti-Corruption Code

Introduction

1. The International Cricket Council (the “ICC”) is the international governing body for the game of cricket and as such is responsible for the development, co-ordination, regulation and integrity of cricket worldwide. As part of its continuing efforts to maintain the public image, popularity and integrity of cricket, and in particular to take the strongest possible stand against the scourge of match-fixing and related corruption in the sport, the ICC has adopted and implemented the ICC Anti-Corruption Code for Participants (the “**Code**”). The Code sets out details of the conduct that, if committed by a Participant in relation to an International Match, will be considered an offence under the Code. The Code provides ranges of sanctions that are to be imposed in the event of the commission of an offence, and also sets out the disciplinary procedures to be followed where an offence is alleged.
2. Mr Sanghavi is an Indian businessman and Bollywood film producer. Alongside his main business activities, he was the co-owner of the Karnataka Tuskers team (later renamed the Pune Devils) a team participating in the 2019 and 2021 editions of the Abu Dhabi T10 (“ADT10”).

Status as a Participant bound by the Code

3. At all material times, Mr Sanghavi constituted a Participant for the purposes of the Code by virtue of his role as one of the team owners of the Pune Devils franchise, a team that participated in Domestic Matches, namely matches in the ADT10, an event held under the auspices and jurisdiction of the Emirates Cricket Board, an Associate Member of the ICC.
4. As such, Mr Sanghavi was automatically bound by the Code and agreed, among other things, (i) to comply with the Code; (ii) not to engage in conduct that would constitute a breach of the Code; and (iii) to submit to the jurisdiction of the applicable bodies under those rules, including the

Code, to investigate apparent or suspected Corrupt Conduct that would amount to a violation of the Code and to hear and determine any consequent breaches of those rules and related issues.

Summary of relevant background facts

5. The ICC was appointed by the Emirates Cricket Board (“ECB”) as the Designated Anti-Corruption Official (“DACO”) under the ECB’s Anti-Corruption Code for the purposes of the 2021 ADT10 (the “ECB Code”). This appointment meant that the ICC had responsibility to monitor and enforce the ECB Code at the ADT10. As part of its role as the DACO (a role it had also held at the 2019 edition of the ADT10) the ACU received intelligence which suggested that Mr Sanghavi may have been involved with Corrupt Conduct, in particular that he had been betting on cricket matches.
6. In its role as the DACO for the ADT10, following various pieces of intelligence received, the ICC ACU commenced an investigation into one of the teams in the event, the Pune Devils (previously named the Karnataka Tuskers). As part of this investigation, information came to light which suggested that the owners of the relevant team were making approaches to various Participants regarding Corrupt Conduct.
7. As Mr Sanghavi was one of the owners of the relevant team, the ACU considered it prudent to interview him on the basis of this intelligence.
8. Mr Sanghavi attended an interview with the ACU on 4 October 2021, during which interview he made the following admissions:
 - 7.1 He frequently placed bets on the outcome of cricket matches, estimating that he bet US\$ 10-15,000 per week on cricket matches.
 - 7.2 His bets were normally on which team would win or lose the match.
 - 7.3 His bets were predominantly placed on international and IPL matches.
 - 7.4 He had placed a US\$ 10,000 bet on England to win the first Test against India (4-8 August 2021).
 - 7.5 He had placed a US\$ 6-7,000 bet on the Punjab Kings to win an IPL match on 3 October 2021.
9. During this interview, Mr Sanghavi was also served with a Demand pursuant to Article 4.3 of the Code. This Demand required that Mr Sanghavi surrender all of his mobile devices to the ACU as the ACU believed that the devices might contain information relevant to the investigation.
10. The Code requires that mobile devices are to be handed over immediately upon request in order to protect the integrity of the devices and the information they may contain. If a Participant were to be allowed a period of time before they hand their devices over, it would give them the opportunity, if they so wished, to delete any potentially incriminating information on the phone.

11. In response to the Demand, Mr Sanghavi handed over the mobile phone he had with him, provided the ACU with the pin code for the phone, and signed the consent form to allow the ICC to review the device.
12. The ACU analysed the device that Mr Sanghavi had surrendered, finding evidence that suggested that the device was not his main device, as there was very little content on it and the SIM only appeared to have been set up on 18 September 2021. Further, the Apple ID associated with the device was in someone else's name, and prior to his interview with the ACU, Mr Sanghavi had been communicating with the ICC on a different number.
13. Consequently, Mr Sanghavi was asked to attend a further interview with the ACU, which took place on 12 October 2021. When asked about whether he had any other mobile devices, Mr Sanghavi confirmed that he had another phone, an old one, which he had started using again when he surrendered his other phone to the ACU (and which he had in his possession in this interview). Mr Sanghavi's explanation for why his first device did not contain that much data was because he had only recently started using that device after his main device had been confiscated by the police during an unrelated police investigation.
14. While Mr Sanghavi initially agreed to hand over this second device, and actually did so (with the device being placed into a sealed tamper proof bag while he obtained legal advice), having spoken to his wife and his lawyer, Mr Sanghavi changed his mind and withdrew his consent to the ACU reviewing his phone. In particular, Mr Sanghavi contended that the advice of his lawyer was that it contained a lot of business and personal information and he was concerned about the confidentiality of that information. As such, this second device was not reviewed or analysed by the ACU. This was despite Mr Sanghavi receiving clear instructions from the ACU that he was at risk of breaching the Code if he did not hand over and consent to the review of this second device.

Relevant Provisions of the Code

15. Code Article 2.2.1 makes the following an offence:

“placing, accepting, laying or otherwise entering into any Bet with any other party (whether individual, company or otherwise) in relation to the result, progress, conduct or any other aspect of any International Match.”

16. Article 2.4.6 makes the following an offence:

“failing or refusing, without compelling justification, to cooperate with any investigation carried out by the Designated Anti-Corruption Official in relation to possible Corrupt Conduct under this Anti-Corruption Code (by any Participant), including (without limitation) failing to provide accurately and completely any information and/or documentation requested by the Designated Anti-Corruption Official (whether as part of a formal Demand pursuant to Article 4.3 or otherwise) as part of that investigation.”

Disciplinary Proceedings

17. On the basis of the above facts, on 19 September 2023, the ICC charged Mr Sanghavi with the following breaches of the Code:

Charge No. 1 – Breach of Article 2.1.1 of the Code, in that in that he placed bets on various International and Domestic matches.

Charge No. 2 - Breach of Article 2.4.6 of the Code, in that he failed or refused, without compelling justification, to cooperate with the ACU's investigation in relation to possible Corrupt Conduct under the Code, including (without limitation) failing to provide accurately and completely any information and/or documentation requested by the ACU (whether as part of a formal Demand pursuant to Article 4.3 or otherwise) as part of such investigation.

18. Mr Sanghavi was provisionally suspended at the time of the charge pending the outcome of the disciplinary proceedings.
19. Mr Sanghavi responded to the Notice of Charge, denying the charges, and thus was considered to have exercised his right for the charges to be determined by an Anti-Corruption Tribunal. The charges were referred to an Anti-Corruption Tribunal established under the Code with written submissions being presented to the Tribunal.
20. By way of a letter agreement dated 12 July 2024 (and counter signed on 16 July 2024) and prior to the conclusion of the proceedings before the Tribunal, Mr Sanghavi formally admitted that he had committed the breaches with which he was charged, and reached the following agreement with the ICC on the appropriate sanction to be imposed on his for his admitted breaches.
21. This decision is issued pursuant to Code Article 5.1.12 and sets out the sanction proposed by the ICC, and accepted by Mr Sanghavi, for his admitted breaches of the Code.
22. Upon notification of this Agreed Sanction to the appointed Anti-Corruption Tribunal, the proceedings before the Anti-Corruption Tribunal are to be discontinued with immediate effect.

Agreed Sanction

23. Code Article 6.2 stipulates that the range of permissible sanctions for a breach of Code Article 2.2.1 is a period of Ineligibility of a minimum of one (1) year and a maximum of five (5) years, and for Code Article 2.4.6 is a period of Ineligibility of a minimum of six (6) months and a maximum of five (5) years.12 July
24. Code Article 6.1 sets out the relevant factors that an Anti-Corruption Tribunal would be required to consider in determining the relative seriousness of the offence and thereby arriving at an appropriate sanction within that range.

25. It is acknowledged by the ICC that any sanction imposed must be proportionate. In considering what is proportionate, the ICC is entitled to weigh against the impact of a ban on Mr Sanghavi the importance of the objectives underlying the Code, the seriousness of the particular breach of the Code by Mr Sanghavi, the need to deter others from similar wrongdoing, the need to protect the image of sport of cricket, and (above all else) the need to maintain public confidence in the determination of the sport of cricket to stamp out corruption.
26. The ICC notes that in order to seek to adequately and effectively protect the sport of cricket against the threat of corruption, the obligation on Participants to cooperate with an investigation and provide any information which may be relevant is key to the ICC being able to fully and properly investigate allegations of Corrupt Conduct. As it is common for corrupters to communicate under the radar, with most of the communications taking place via mobile phone and messaging apps such as WhatsApp or Telegram, one of the most important tools for the investigator is the power to require a Participant to produce their mobile phone. A Participant who therefore fails to surrender their phone immediately upon request is frustrating the ICC's investigation and, by keeping the phone, opens up the risk that they will delete information from the device which could be highly relevant to the investigation. A breach of this provision is therefore serious.
27. Relevant mitigating factors in Mr Sanghavi's case include the following:
 - 27.1. Mr Sanghavi's admission of his breaches;
 - 27.2. Mr Sanghavi's previous good disciplinary record;
 - 27.3. The fact that the offences did not substantially damage the commercial value and/or public interest in the relevant matches;
 - 27.4. The fact that the offences did not affect the outcome of the relevant matches; and
 - 27.5. The fact that Mr Sanghavi's investment into the Pune Devils franchise has been put on hold since the ADT10 2021 and thus Mr Sanghavi has not been able to do anything, or realise, his investment.
28. The ICC does not consider that any of the aggravating factors listed in Code Article 6.1.1 are relevant in Mr Sanghavi's case.
29. The ICC has considered all of the circumstances of this case, including giving Mr Sanghavi credit for agreeing an outcome that avoids the need for a hearing and so saves time and money for use elsewhere in the fight against corruption, and has considered relevant precedents. The ICC therefore considers that a period of ineligibility of two (2) years, of which twelve (12) months is suspended, is reasonable and proportionate.

30. In order to avoid the twelve (12) month suspended part of the sanction coming into effect, Mr Sanghavi must comply, in full, with the following conditions during the period of the initial 12-month period of suspension:
- 30.1. He must not commit any offence under the Code (or any other anti-corruption rules of the ICC or any other National Cricket Federation) during the initial period of suspension.
- 30.2. He must participate promptly and fully in any anti-corruption education and/or rehabilitation programmes as specified by the ICC.
31. Mr Sanghavi has agreed to this sanction. As such, a period of ineligibility of two (2) years, of which the final twelve (12) months is suspended, is imposed.
32. In accordance with Code Article 6.4, Mr Sanghavi's period of ineligibility shall commence on the date of this decision with credit being given for the period of provisional suspension he has served since 19 September 2023
33. During his period of ineligibility, Mr Sanghavi's status is as set out in Code Article 6.5 of the Code. This provides:
- "No Participant who has been declared Ineligible may, during the period of Ineligibility, play, coach, officiate or otherwise participate or be involved in any capacity in any capacity in any Match or any other kind of function, event or activity (other than authorized anti-corruption education or rehabilitation programs) that is authorized, organized, sanctioned, recognized or supported in any way by the ICC, a National Cricket Federation, or any member under the jurisdiction of a National Cricket Federation, or receive accreditation to provide media or other services at an official venue or Match. The ICC and other National Cricket Federations shall take all reasonable steps within their powers to give effect to this Article 6.5 to the extent that they have the jurisdiction, power or ability to do so."*
34. In accordance with Code Article 7.2 neither Mr Sanghavi nor the ICC shall have any right of appeal against this decision.

Conclusion

35. To summarise:
- 35.1. Mr Sanghavi admits that he has committed breaches of Code Articles 2.2.1 and 2.4.6.
- 35.2. A period of Ineligibility of two (2) years, of which twelve (12) months is suspended, is imposed pursuant to Code Article 6.2, commencing on the date of this decision, with credit being given for the period of provisional suspension served by Mr Sanghavi since 19 September 2023.

- 35.3. Mr Sanghavi's status during the period of Ineligibility is as set out in Code Article 6.5.
- 35.4. The proceedings before the Anti-Corruption Tribunal shall be discontinued with immediate effect.
- 35.5. This decision constitutes the final decision of the ICC in this matter. In accordance with Code Article 8.2, this decision will be disclosed publicly, including on the ICC's website.
- 35.6. There is no need for any further hearing in these proceedings, which are hereby terminated.

Dubai, 19 July 2024