

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

Between:

THE INTERNATIONAL CRICKET COUNCIL

(On behalf of the Emirates Cricket Board)

and

MR ASHAR ZAIDI

Agreed Sanction Decision

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.
2. The Emirates Cricket Board (the “ECB”) is the national federation responsible for the governance of the game of cricket within the UAE and an Associate Member of the ICC. 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, as well as its obligations as a Member of the ICC, the ECB adopted and implemented the ECB Anti-Corruption Code for Participants (the “Code”). The Code sets out the details of the conduct that, if committed by a Participant in relation to a Domestic Match, will be considered an offence under the Code. It also provides a range of sanctions that are to be imposed in the event of the commission of an offence, and sets out the disciplinary procedures to be followed where an offence is alleged.
3. The ICC’s Integrity Unit (the “IU”) was appointed by the ECB as the Designated Anti-Corruption Official for the purposes of the Code at the 2021 edition of the Abu Dhabi T10 League (the “ADT10”), a T10 cricket competition scheduled to be played in Abu Dhabi and thus under the jurisdiction of the ECB. Consequently, all powers designated to the ECB and/or the Designated Anti-Corruption Official under the Code (including but not limited to the conduct of investigations, charging and provisional suspension decisions, and the conduct of disciplinary proceedings) were delegated by the ECB to the ACU. On the basis of this appointment and delegation, the ICC has been authorized to conduct any disciplinary proceedings arising out of the ADT10 on behalf of the ECB.

4. Ashar Zaidi is a batting coach and former professional cricket player. Having initially played domestic cricket in Pakistan, Mr Zaidi played first-class cricket in England between 2013 and 2018 for Sussex and Essex County Cricket Clubs. At the ICC World T20 Qualifiers in 2019, Mr Zaidi was the batting coach for the Hong Kong men's team

Status as a Participant bound by the Code

5. As a consequence of his position as the batting coach for Hong Kong during the 2019 ICC T20 Qualifiers (which took place from 18 October to 2 November 2019), Mr Zaidi constituted a Player Support Personnel and thus a Participant for the purposes of the Code. As such, he 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 relevant Designated Anti-Corruption Official to investigate apparent or suspected Corrupt Conduct that would amount to a violation of the Code.

Summary of relevant background facts

6. In late September 2020, Mr Zaidi received a call from a childhood friend, Rizwan Javed, who told Mr Zaidi that there was an opportunity for a role for him in the Abu Dhabi T10 2021.
7. In this conversation, Mr Javed told Mr Zaidi that he (Mr Zaidi) would be paid \$10-15,000 for a coaching role with the team, but that the team owners wanted him do to some work for them, for which his fee for the tournament would increase to around \$25-30,000.
8. When Mr Zaidi asked Mr Javed what kind of work would be involved, Mr Javed said "*obviously it will be involving some for a fixing kind of thing*". A series of WhatsApp messages between Mr Javed and Mr Zaidi then ensued in which messages Mr Javed and a third party (via voice notes to Mr Javed) appeared to try and entice Mr Zaidi into engaging in corrupt conduct at the ADT10.
9. Mr Zaidi told Mr Javed that he had never engaged in any kind of corrupt conduct over his 18 year career and was not interested in doing so at that point either. Mr Zaidi rejected Mr Javed's approaches.
10. However, notwithstanding Mr Zaidi's rejection of the approaches, he did agree to provide Mr Javed with the names and contact details of players that Mr Javed could contact. Mr Zaidi knew that when Mr Javed contacted those players he would approach them to do "*work*", i.e. fixing in the Abu Dhabi T20.
11. Mr Zaidi told Mr Javed that the players would probably say no at first, so Mr Zaidi told Mr Javed that he would need to speak to the players in a proper and tactful way.
12. Mr Zaidi subsequently provided Mr Javed with the contact details for three players.

Relevant Provisions of the Code

13. Code Article 2.1.1 makes the following an offence: *Fixing or contriving in any way or otherwise influencing improperly, or being a party to any agreement or effort to fix or contrive in any way or otherwise influence improperly, the result, progress, conduct or any other aspect of any Domestic Match, including (without limitation) by deliberately underperforming therein.*
14. Code Article 2.1.4 makes the following an offence: *directly or indirectly soliciting, inducing, enticing, instructing, persuading, encouraging or intentionally facilitating any Participant to breach any of the foregoing provisions of this Article 2.1.*
15. Code Article 2.4.4 makes the following an offence: *failing to disclose to the Designated Anti-Corruption Official (without unnecessary delay) full details of any approaches or invitations received by the Participant to engage in Corrupt Conduct under this Anti-Corruption Code.*

Disciplinary Proceedings

16. On the basis of the evidence obtained through its investigations, and the admissions made by Mr Zaidi to the ACU and set out above, on 19 September 2023, the ICC charged Mr Zaidi with three breaches of the Code as follows:

Charge No. 1 - Breach of Code Article 2.1.1, in that Mr Zaidi was a party to an attempt or effort to fix, contrive or influence improperly the result, progress, conduct or other aspect of matches in the Abu Dhabi T10 2021 when he provided contact details of players to another individual, knowing that that individual would contact those players in order to approach them to engage in Corrupt Conduct.

Charge No. 2 – Breach of Code Article 2.1.4, in that Mr Zaidi intentionally facilitated other Participants to breach the ECB Code, or at least attempted to do so, when he passed on player contact details to someone he knew would approach them to engage in Corrupt Conduct.

Charge No. 3 – Breach of Code Article 2.4.4, in that Mr Zaidi failed to disclose to the Designated Anti-Corruption Official, without unnecessary delay, full details of the approach or invitations he received from another individual to engage in Corrupt Conduct in the Abu Dhabi T10 2021.
17. The Notice of Charge also advised Mr Zaidi that he had been provisionally suspended from the date of the Notice of Charge pending resolution of the charges.
18. By way of a letter agreement dated 11 July 2024, Mr Zaidi formally admitted that he had breached Articles 2.1.4 and 2.4.4 of the Code (namely he admitted Charges No. 2 and 3). As a consequence, the ICC has agreed not to pursue Charge No. 1, with such charge being deemed withdrawn.
19. This decision is issued pursuant to Article 5.1.12 of the Code and sets out the sanction proposed by the ICC, and accepted by Mr Zaidi for his admitted breaches of the Code.

Agreed Sanction

20. Article 6.2 of the Code provides that the range of permissible sanctions for the Article 2.1.4 charge is a period of Ineligibility of at least five (5) years up to a maximum of life, and in respect of the Article 2.4.4 charge, a period of Ineligibility of at least six (6) months and a maximum of five (5) years.
21. Article 6.1 of the Code sets out the relevant factors that the 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.
22. 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 Zaidi the importance of the objectives underlying the Code, the seriousness of the particular breaches of the Code by Mr Zaidi, the need to deter others from similar wrongdoing, the need to protect the image of sport, and (above all else) the need to maintain public confidence in the determination of the sport of cricket to stamp out corruption.
23. The ICC notes that in order to seek to adequately and effectively protect the sport of cricket against the threat of corruption, it is of paramount importance that Participants report approaches that they receive and do not engage with potential corrupters.
24. The following mitigating factors have been taken into account in the sanction:
 - 24.1. Mr Zaidi's previous good disciplinary record. first offence.
 - 24.2. His admission of charges number 2 and 3.
 - 24.3. The fact that none of the players whose details Mr Zaidi passed on agreed to any fix, with all of them reporting the approaches they received.
 - 24.4. Once he was spoken to by the ACU, Mr Zaidi was completely cooperative and the evidence he provided (in particular key WhatsApp messages) was used as evidence in separate proceedings.
 - 24.5. The fact that the offences did not substantially damage the commercial value and/or public interest in any match; and
 - 24.6. The fact that the offences did not affect the outcome of matches.
25. The ICC has considered all of the circumstances of this case, including giving Mr Zaidi credit for agreeing an outcome that avoids the need for a hearing and so saves considerable time and money for use elsewhere in the fight against corruption, as well as the substantial assistance he has provided to the ICC in its enforcement of the Code and has considered relevant precedents.

The ICC therefore considers that a period of ineligibility of five (5) years, of which twelve (12) months is suspended, is reasonable and proportionate.

26. In order to avoid the twelve (12) month suspended part of the sanction coming into effect, Mr Zaidi must not commit any other offence under the Code or the anti-corruption rules of the ICC or any National Cricket Federation.
27. Mr Zaidi has agreed to this sanction. As such, a period of ineligibility of five (5) years, of which the final twelve (12) months is suspended, is imposed.
28. In accordance with Article 6.4 of the Code, Mr Zaidi's period of ineligibility shall commence on the date of this decision, with credit being given for the period of provisional suspension he served from 19 September 2023.
29. During his period of ineligibility, Mr Zaidi's status is as set out in Article 6.5 of the Code, as follows:

"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. 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."
30. In accordance with Article 7.2 of the Code neither Mr Zaidi nor the ICC (or the ECB) shall have any right of appeal against this decision.
31. This decision constitutes the final resolution of the matter of Mr Zaidi's charges as currently issued by the ICC (subject to him complying with his agreement to provide substantial assistance as referenced above).

Conclusion

32. To summarise:
 - 32.1. Mr Zaidi admits that he has committed breaches of Articles 2.1.4 and 2.4.4 of the Code as charged.
 - 32.2. A period of Ineligibility of five (5) years, of which the final twelve (12) months is suspended, is imposed pursuant to Article 6.2 of the Applicable Codes, commencing on the date of this decision. Mr Zaidi will receive credit for the period of provisional suspension he has served since 19 September 2023.

- 32.3. Mr Zaidi's status during the period of Ineligibility is as set out in Article 6.5 of the Code.
- 32.4. This decision constitutes the final decision of the ICC in this matter and will be disclosed publicly, including on the ICC's website.
- 32.5. There is no need for any further hearing in these proceedings, which are hereby terminated.

Dubai, 12 July 2024