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Stand up to fast bowling in court to beat corruption

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Reaction from the Professional Cricketers' Association (PCA) to the Chris Cairns libel and perjury saga is surprisingly misplaced and could mean that cheating goes unreported.

Two great New Zealand internationals - Cairns and Brendon McCullum - were on opposing sides in this high-profile courtroom drama, which involved allegations that Cairns had lied in his evidence during a libel trial.

The charge against Cairns was that contrary to his evidence in that trial, he was involved in match-fixing and had encouraged others to do so. The jury found in Cairns' favour in the perjury trial, just as the judge had in his libel trial.

For a professional sportsman to be labelled a match-fixer is devastating. When Lalit Modi made this allegation by Twitter, picked up across other media, Cairns was determined to demonstrate it was false. He was prepared to let a judge decide the truth of the allegation after a High Court trial and the judgment in that case records the ferocious cross-examination he was subject to. A subsequent police investigation considered further evidence, including evidence from McCullum, and Cairns was tried for perjury.

Subsequently, the chief executive of the PCA reacted to Cairns' successful defence by saying: "It doesn't encourage people to believe that if they come forward with information, they are going to have a happy experience following on from that. We have seen how tough and challenging it can be... It builds on a concern that we've all

had for some time that the process of reporting is one that asks a lot of people and doesn't give a huge amount back."

The association is right to be concerned for the welfare of cricketers and protecting them from the lure of corruption is one of the many difficulties the organisation faces. But like the International Cricket Council - the governing body of world cricket - the PCA should be doing all it can to encourage cricketers to report any suspicions immediately.

The chief executive's statement is inconsistent with that objective. The fact that the evidence against Cairns did not withstand the scrutiny of the civil and criminal courts should not deter witnesses coming forward in future cases.

McCullum reported his alleged conversation with Cairns to the ICC three years after it was said to have taken place. This evidence, and the important evidence of Lou Vincent, was rightly examined in detail during the trial, just as Cairns' own evidence would be.

The ICC has not taken regulatory action against Cairns and confidence in its ability to gather evidence and take appropriate action has been called into question in this case. The PCA should be working with the ICC to improve and promote its reporting and investigation processes rather than encouraging players to think they are better served staying quiet.

Cricket is vulnerable to the unregulated gambling industry in India and the fluctuation in measurable performance throughout a match. The PCA and ICC must develop an environment where the innocent, like Cairns, have nothing to fear and the guilty everything to fear.

Professional cricketers have everything to gain from their contribution to a clean sport, not least the privilege of making a living from a fair contest between bat and ball.

Dominic Crossley is a partner in the privacy and media team at Payne Hicks Beach, the London law firm that acted for Chris Cairns