

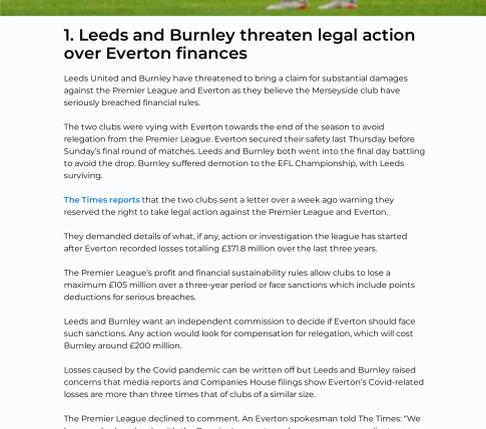


## Regulators are watching closely - is football's love affair with crypto about to end?

- Regulators are on alert. China, India, Turkey and a number of emerging economies have effectively banned crypto trading.
- Recent Advertising Standards Authority (ASA) rules "look suspiciously like the ASA is creating new rules by the back door, which *Sloley* speaks to the current absence of wider regulation for crypto," says lawyer.
- Why it matters:** In the Premier League alone there are 14 Crypto-related partnerships, with some clubs having several. Serie A's "premier" sponsor is Crypto.com.
- The perspective:** Could this be the beginning of the end for the crypto industry, whose entire purpose comes from it being deregulated and decentralised?

[Read article](#)

## Top Stories Of The Week



### 1. Leeds and Burnley threaten legal action over Everton finances

Leeds United and Burnley have threatened to bring a claim for substantial damages against the Premier League and Everton as they believe the Merseyside club have seriously breached financial rules.

The two clubs were vying with Everton towards the end of the season to avoid relegation from the Premier League. Everton secured their safety last Thursday before Sunday's final round of matches. Leeds and Burnley both went into the final day battling to avoid the drop. Burnley suffered demotion to the EFL Championship, with Leeds surviving.

**The Times reports** that the two clubs sent a letter over a week ago warning they reserved the right to take legal action against the Premier League and Everton.

They demanded details of what, if any, action or investigation the league has started after Everton recorded losses totalling £371.6 million over the last three years.

The Premier League's profit and financial sustainability rules allow clubs to lose a maximum £105 million over a three-year period or face sanctions which include points deductions for serious breaches.

Leeds and Burnley want an independent commission to decide if Everton should face such sanctions. Any action would look for compensation for relegation, which will cost Burnley around £200 million.

Losses caused by the Covid pandemic can be written off but Leeds and Burnley raised concerns that media reports and Companies House filings show Everton's Covid-related losses are more than three times that of clubs of a similar size.

The Premier League declined to comment. An Everton spokesman told *The Times*: "We have worked so closely with the Premier League to make sure we are compliant, we are comfortable we have complied with the rules. External auditors have told us what we can and cannot claim against the pandemic. If they want to take legal action then they can do so by all means."

### 2. Premier League clubs could face gambling sponsor shirt ban

Premier League clubs could be banned from signing shirt sponsorship deals with betting firms after the proposal was included in a draft white paper, [according to the BBC](#).

Half of the Premier League's 20 teams have betting firms on their shirts, with the government set to update gambling laws next month.

The move would follow a recommendation by a House of Lords select committee in 2020, which said Premier League clubs should face a shirt sponsorship ban, but EFL Championship clubs should be given time to phase out their partnerships.

A Department for Digital, Culture, Media and Sport (DCMS) spokesperson told BBC Sport: "We are undertaking the most comprehensive review of gambling laws in 15 years to make sure they are fit for the digital age. We will publish a white paper which sets out our vision for the sector in the coming weeks."

Delays to the government white paper being published mean clubs might already be negotiating contracts for next season onwards, which could mean any ban is likely to be applied for the 2023/24 season at the earliest.

### 3. LOSC Lille offices raided by police amid capital gains investigation

The judicial police of Lille have carried out a raid on the offices of Ligue 1 club LOSC Lille, understood to be part of an investigation into capital gains from player transfers.

**French newspaper L'Equipe reports** that the investigators are said to have interviewed several individuals on the premises, including the club's administrative and legal director Julien Mordacq.

For several months, LOSC Lille has blocked the payment of sports agent commissions and has carried out, via a law firm, an internal investigation into the payments before they are due. Several complaints have been filed by agents with the Commercial Court of Lille and FIFA.

It is understood, however, that the intervention of the judicial police could concern the transfer of the Nigerian centre-forward Victor Osimhen, who moved from LOSC to Napoli at the end of July 2020 for €71.5 million.

In exchange, four Napoli players, including goalkeeper Orestis Karnezis, who is still at LOSC, were sold to the French club for a total amount of €20.3 million, with the other three players said to be significantly overvalued.

**In a statement, LOSC said:** "Following the internal audit carried out in early 2021 by the new leaders of the club, the LOSC had filed a complaint against X in October 2021, considered to be the victim of a number of contracts signed by the former management."

"As a result of this complaint, a search took place today at the Domaine de Luchin (home to the LOSC offices). The LOSC naturally cooperates in the proceedings and its leaders are obviously at the full disposal of the police and the judiciary in the context of this investigation."

### 4. New transfer war between Barcelona and PSG set for CAS hearing

Paris Saint-Germain have taken FC Barcelona to the Court of Arbitration for Sport over training compensation of midfielder Kays Ruiz-Atil.

The two clubs have been summoned to CAS on Wednesday 1 June, reveal the list of hearings at CAS.

Ruiz-Atil moved to Barcelona last year after refusing a professional contract with Paris Saint-Germain, having joined them in 2015.

Prior to that, Ruiz-Atil had been at FC Barcelona's academy since the age of seven. Ruiz-Atil only left Barcelona last week, with his contract being terminated.

### 5. Newcastle United takeover was encouraged by UK Government, investigation finds

The UK Government worked for months to encourage the Premier League to approve the controversial Saudi Arabia-backed takeover of Newcastle United, [according to an investigation by The Guardian](#).

The newspaper has reported that the extensive efforts to facilitate the deal, led by minister for investment Lord Gerry Grimstone, were made despite the government, and prime minister Boris Johnson, repeatedly saying publicly that they had no involvement in the takeover talks.

Grimstone is said to have become involved in discussions with the then Premier League chairman Gary Hoffman, as well as Saudi representatives, apparently to stick to the office of the crown prince Mohammed bin Salman, to try to help secure a takeover the government considered to be in the UK's strategic and economic interests.

Grimstone's work appears to have been extended as far as trying to broker a solution to the Saudi piracy of Premier League and other sports TV rights bought by the Qatari broadcaster BeIN, which was seen as a barrier to the takeover being approved.

### 6. Michel Platini's role in Qatar 2022 World Cup vote was key, new documents show

Former UEFA president and FIFA vice president Michel Platini played a far more central role than previously thought when Qatar secured the right to host the 2022 World Cup, [according to an investigation by Danish newspaper Ekstra Bladet and Norwegian news website Idrettspolitikk.no](#)

The media outlets said a number of previously unseen documents have come into their possession which appear to indicate a close cooperation between Platini and Mohamed Bin Hammam, one of Qatar's richest men and then president of the Asian Football Confederation.

The documents include an email exchange between Platini and Bin Hammam from September and October 2010, just two months before the final World Cup vote. The exchange appears to show that the influential Qatari did everything agreed to forge Platini and Qatar's World Cup committee together, including two projects Bin Hammam was working on.

"First, he wanted to persuade Platini to let Qatar's World Cup committee make a special presentation of their World Cup bid with the UEFA president at the headquarters in Nyon," Ekstra Bladet reports. "It succeeded on 21st October, 2010."

The newspaper adds: "The second project involved Platini inviting the Emir of Qatar to an exclusive dinner at a restaurant in Geneva in the same month. Bin Hammam also succeeded in this end."

In addition, minutes from a meeting of FIFA's executive committee apparently show that Platini pressured FIFA president at the time, Sepp Blatter, to stick to the plan of holding the votes for both the 2018 and 2022 World Cups on the same day despite the clear possibility of corruption. Both votes took place on 2nd December 2010.

In 2019, Platini was detained in connection with a criminal investigation into alleged corruption relating to the 2022 World Cup vote. The former French player was suspended in 2015 by FIFA from any football-related activity for six years – a sentence reduced to four years by CAS.

Bin Hammam received a new life ban from FIFA in 2012 following his decision to quit all football posts. His original FIFA suspension had been annulled by CAS.

### 7. Players' union raises "serious questions" after FIFA clears coach of sexual harassment

FIFPro, the global union for professional footballers, has criticised FIFA's ethics panel over its decision not to punish a women's football coach accused of sexual harassment.

Argentinian women's coach Diego Alberto Guacci, technical director of the U17s and U15s national teams, faced allegations of verbal abuse and sexual harassment from five female players. He denies any wrongdoing.

FIFPro said the players "presented cogent and credible evidence against the coach. They recounted how, over a number of years, they were victims of shocking and recurrent treatment by the coach who had a duty to safeguard them as teenagers and young women."

"The players were extremely brave to challenge the coach's conduct and contribute towards making football a safer and more inclusive environment for their peers," **the FIFPro statement added.**

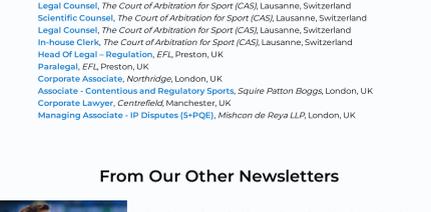
"The decision by the FIFA ethics committee raises questions about how much evidence is needed for disciplinary action and will deter other players from standing up against the perpetrators of harassment and abuse."

The players' union said that after FIFA's ethics investigatory panel ruled that the coach had violated safeguarding and sexual harassment regulations, "we expect the chief of the investigation to appeal the decision of the adjudicatory chamber under article 62, paragraph 2 of the FIFA ethics code".

FIFPro also raised concerns about the lack of gender diversity in the FIFA ethics adjudicatory chamber and the length of the investigation, which started in 2020.

FIFA said in a statement that its ethics committee had "followed the due process" according to its code of ethics.

## My Career in Sports Law



**James Kitching, Managing Director, The FC (formerly director at FIFA)**

*What makes football law different from other careers?*

"The type of work is completely different. There are of course traditional legal elements – contracts, commercial negotiation, HR and employment issues, property – but the football-specific elements are absolutely niche, absolutely crucial, and invaluable to a client or employer. Being directly involved in the biggest conversations around the game or a big off-season signing – and seeing those elements come to fruition – are extremely rewarding."

*Who in this industry has inspired you the most?*

"Emilio Garcia Silvero, the current Chief Legal & Compliance Officer of FIFA. I had the pleasure of observing him from afar for several years (while I was at AFC and he was at UEFA) and implementing his methods and lessons into my work in Asia. I then had the opportunity to work as a Director in his team at FIFA, and learning as much from his direct leadership as possible."

*What is the most complicated case you have been involved in, and why?*

"The most complicated cases were always the ones which went 'beyond football'. While at the AFC, I led several investigations and prosecutions involving real-world corruption – particularly with respect to passport fraud. The intersection between sporting investigations, national governments and their laws, coercion powers, institutional will, nefarious elements working outside of football, and what can be proven in a sports tribunal is extremely challenging. I can't talk beyond the facts and outcomes that are reported publicly, but those types of cases added a few grey hairs to my head."

*Which type of case can really inspire you and make you feel highly motivated?*

"One of my – if not my proudest – moments working in this space was when I first left AFC to work privately. Through my knowledge of football regulations and network within the industry, I was able to assist a player who had not been paid his outstanding salary for 9 years – yes, 9 years! Based in Europe and long-retired, he was owed money from a club in SE Asia that effectively had ignored him since he received a judgment from a national player status tribunal. It turns out at the time that he was not effectively advised and had missed several opportunities to put pressure on the club to pay him. Although the amount of money – compared to the large amounts banded around in football – was small, the fact that we could make a difference for him and his family 9 years after the fact was extremely satisfying."

*Looking into your crystal ball, which area of football law do you see growing in importance and relevance?*

"A couple of obvious areas stand out. First, the introduction of the FIFA Clearing House (full disclosure: I will be a Board Member when it launches) later this year will be a game changer for the football transfer system. Real world financial integrity will be applied to international football transactions. Second, the regulation of football agents will bring sensible regulation and protections back to a wild west that was created by FIFA when it deregulated the industry in 2015."

## Here's what else is happening

- The Asian Football Confederation (AFC) has welcomed the Court of Arbitration for Sport (CAS)'s decision to dismiss Al Nassr (KSA)'s appeal against the AFC Appeal Committee's decision on November 16, 2020.
- The Lega Serie A has sent an appeal against the manual of annual licenses 2022/2023 approved by the FIGC, in which the liquidity index was also introduced as a requirement for admission to the Championship.
- The Chinese team, Chongqing Liangjiang have been withdrawn from the Chinese Super League after the club was unable to pay players and staff.
- Manchester City say in a club statement that they "would like to sincerely apologise to Aston Villa goalkeeper Robin Olsen, who was assaulted after the final whistle when fans entered the pitch. The club has launched an immediate investigation."
- Burnley and Leeds United have demanded that the Premier League hand over copies of any evidence it has collected about Everton's finances and any provisional ruling it may have made about possible rule breaches.
- The English FA has expressed their concern regarding several incident of pitch invasions and has in a statement said: "Football stadiums should always be a safe and enjoyable space for everyone".
- UEFA has released the latest disciplinary decisions by its Control, Ethics and Disciplinary Body. [Read them here.](#)
- CONMEBOL Disciplinary Unit has published its latest disciplinary decisions, sanctioning individuals and a club. [See them here.](#)
- Ligue de Football Professionnel (LFP) has published the latest decisions from the Disciplinary Committee. [Read them here.](#)

- List of CAS hearings next week:**
  - 31.05.22
  - TAS 2022/A/8015 Mouloudia Club d'Oujda c. Yacoubia Sylla
  - 01.06.22
  - CAS 2021/A/8543 Paris Saint-Germain Football v. FC Barcelona
  - 02.06.22
  - CAS 2022/A/8862 Ittihad FC v. Seikou Sanogo

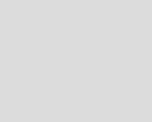
## Who's hiring?

**Sport Lawyer, The Legists, London, UK**  
**Sports Solicitor/Associate, Austen Lyford Legal Recruitment Manchester, UK**  
**Legal Counsel, FIFA Zurich, Switzerland**  
**Associate, Lewis Silkin, London, UK**  
**Legal Counsel, The Court of Arbitration for Sport (CAS), Lausanne, Switzerland**  
**Scientific Counsel, The Court of Arbitration for Sport (CAS), Lausanne, Switzerland**  
**Legal Counsel, The Court of Arbitration for Sport (CAS), Lausanne, Switzerland**  
**In-house Clerk, The Court of Arbitration for Sport (CAS), Lausanne, Switzerland**  
**Head of Legal - Regulation, EFL, Preston, UK**  
**Paralegal, EFL, Preston, UK**  
**Corporate Associate, Northridge, London, UK**  
**Associate - Contentious and Regulatory Sports, Squire Patton Boggs, London, UK**  
**Corporate Lawyer, Centrefield, Manchester, UK**  
**Managing Associate - IP Disputes (S+PGS), Miskom de Reya LLP, London, UK**

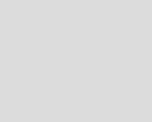
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Thanks for reading. See you next week.

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