



and being paid by ██████████ to do so, as well as tampering with evidence during the course of the Tennis Integrity Unit (TIU)<sup>1</sup> investigation.

3. Ms. Tinjic has admitted all TACP breaches, but pursuant to Section G 1.d.iii of the 2024 TACP, she has sought to dispute and/or mitigate the sanctions proposed by the ITIA.
4. Janie Soublière holds an appointment as an AHO per section F.1 of the TACP. The AHO was appointed without objection by any party to these proceedings as the independent and impartial adjudicator to decide this matter as set out in the TACP 2024, which applies to all procedural aspects of this dispute.
5. The following is the AHO's Decision.

## **THE PARTIES**

6. The ITIA is an independent body established by the international Governing Bodies<sup>2</sup> of tennis to promote, encourage and safeguard the integrity of professional tennis worldwide by way of the TACP. The purposes of the TACP are to (i) maintain the integrity of tennis, (ii) protect against any efforts to impact improperly the results of any match, and (iii) establish a uniform rule and consistent scheme of enforcement and sanctions applicable to all professional tennis Events and to all Governing Bodies.
7. The ITIA administers the TACP and the actions of all Covered Persons, including Players, who are considered "Covered Persons" thereunder. The ITIA is empowered to investigate potential breaches of the TACP and to bring charges against Covered Persons where they conclude that there are sufficient grounds to do so.
8. Ms. Tinjic was an active professional ITF tennis player in 2017 and 2018, the time the admitted Offenses were committed. She was defined as a Player and Covered Person at that time, and thereby bound by all applicable versions of TACP in relation to this matter. She completed the TIPP on 9 March 2017 and again in 2019 per the usual two-year renewal in place at the time.

## **BACKGROUND FACTS AND NOTICE OF MAJOR OFFENCE**

9. On █████ January 2018, the TIU received a betting alert from the ESSA Sports Betting Integrity Agency ('ESSA', now 'IBIA'), following one of its betting operators, ██████████ raising suspicion in relation to a match Ms. Tinjic was playing in the ██████████ Tournament in ██████████ Egypt.

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<sup>1</sup> The TIU is ITIA's predecessor.

<sup>2</sup> As defined in Section B.11. of the TACP

10. As a result of this alert, the ITIA and the Swedish authorities carried out an investigation into various tennis matches Ms. Tinjic played in and for which there was also suspicious betting activity by accounts linked to [REDACTED] [REDACTED] [REDACTED]
11. The Swedish investigation resulted in criminal charges being brought against Ms. Tinjic (and [REDACTED] [REDACTED] for taking and offering bribes in exchange for manipulating Ms. Tinjic's tennis matches. In a judgment dated 26 April 2022, Ms. Tinjic was found guilty by the Gothenburg criminal court of taking a bribe in the sum of SEK 12,000.000 from [REDACTED] [REDACTED] in return for fixing aspects of her tennis matches between [REDACTED] and [REDACTED] December 2017.
12. Following this decision and as a result of its own investigations, the ITIA concluded that Ms. Tinjic breached the 2017 and 2018 TACP.
13. On 11 April 2024, the ITIA charged Ms. Tinjic with the following Corruption Offences. The AHO notes for ease of reference that the below is a cut and paste of the Notice of Major Offense with a summary of each Offence provided.

Charge 1- [REDACTED] September 2017 Fixed [REDACTED] tennis match in France

- Breach of 2017 TACP Sections D.1b( facilitating), D.1.d. (contriving), D 2.a.i. (non-reporting)
- Betting data from [REDACTED] revealed suspicious successful bets placed on this match by an account registered with [REDACTED] in the name of your mother-in-law, Sena [REDACTED] (username '[REDACTED] for you to lose the [REDACTED] point of your [REDACTED] service game (which was the [REDACTED] game of the match). The match scorecard shows that you served a double fault on this point. Betting data shows that the [REDACTED] [REDACTED] account placed bets from IP addresses located in Sweden which you also regularly used.

Charge 2 – [REDACTED] September 2017 Fixed [REDACTED] tennis match in France

- Breach of 2017 TACP Sections D.1b( facilitating), D.1.d. (contriving), D 2.a.i. (non-reporting)
- Betting data from [REDACTED] revealed suspicious successful bets placed on this match by the [REDACTED] account for you to lose the [REDACTED] point of your [REDACTED] service game (which was the [REDACTED] game of the match). The match scorecard shows that you served a double fault on this point.

Charge 3 – [REDACTED] December 2017 – Fixed [REDACTED] tennis match in Turkey

- Breach of 2017 TACP Sections D.1.b (facilitating), D.1.d (contriving) and D.2.a.i (non -reporting)
- Betting data obtained from [REDACTED] and [REDACTED] revealed suspicious bets placed opposing you, as follows:
  - i. The [REDACTED] [REDACTED] account placed one successful bet for you to lose the [REDACTED] point of the [REDACTED] game of the [REDACTED] set, and one successful bet for you to lose the [REDACTED] point of the [REDACTED] game of the [REDACTED] set (both of which were your service games); and
  - ii. A [REDACTED] betting account registered to your father-in-law, [REDACTED] [REDACTED] (username [REDACTED] placed a bet on this match for you to lose the [REDACTED] point of the [REDACTED] game of the [REDACTED] set. The scorecard shows that you served double faults on both of these points.
  - iii. Further, the phone number registered to the [REDACTED] account [REDACTED] is the same as the number registered to the [REDACTED] account, indicating that the same person had control of all of these accounts (which it was inferred was actually [REDACTED] [REDACTED] [REDACTED] [REDACTED])

Charge 4- [REDACTED] December 2017 – Fixed [REDACTED] tennis match in Turkey

- Breach of 2017 TACP Sections D.1.b (facilitating), D.1.d (contriving) and D.2.a.i (non -reporting)
- Betting data obtained from [REDACTED] revealed that the [REDACTED] account placed two successful bets on this match, both on you to lose the [REDACTED] point of the [REDACTED] game in the [REDACTED] set (which was your service game). Two further bets were placed by this account on the same selection, but these were rejected. The scorecard shows that you served a double fault on the [REDACTED] point of the [REDACTED] game in the [REDACTED] set.

Charge 5 – [REDACTED] December 2017 – [REDACTED] tennis match in Turkey

- Breach of 2017 TACP Sections D.1.b (facilitating), D.1.d (contriving) and D.2.a.i (non -reporting)
- Betting data obtained from [REDACTED] and [REDACTED] revealed suspicious bets placed opposing you, as follows:
  - iv. The [REDACTED] [REDACTED] account placed a successful bet on this match, for you to lose the [REDACTED] point of your [REDACTED] service game (which was the [REDACTED] game); and
  - v. ii. The [REDACTED] [REDACTED] account placed a successful bet on this match that you would lose the [REDACTED] point of the [REDACTED] game.

- The scorecard shows that you served a double fault on the second point of your [REDACTED] service game, which was the [REDACTED] game of the match, therefore matching these suspicious bets

Charge 6 – [REDACTED] December 2017 bank transfer

- Breach of Section D.1.f of the 2017 TACP (Accepting money)
- On [REDACTED] December 2017, [REDACTED] [REDACTED] [REDACTED] withdrew SEK 12,000.00 from the [REDACTED] betting account. On the same date, he transferred SEK 12,000.00 to your Swedbank bank account.
- In a judgment dated 26 April 2022, you were found guilty by the Gothenburg criminal court of taking a bribe in the sum of SEK 12,000.000 from [REDACTED] [REDACTED] in return for fixing aspects of your tennis matches between [REDACTED] and [REDACTED] December 2017

Charge 7 – [REDACTED] January 2018 – Fixed [REDACTED] tennis match in Egypt

- Breach of 2018 TACP Sections D.1.b (facilitating), D.1.d (contriving) and D.2.a.i (non -reporting)
- Betting data obtained from [REDACTED] and [REDACTED] revealed suspicious bets placed opposing you, as follows:
  - i. The [REDACTED] [REDACTED] account placed a successful bet on this match for you to lose the [REDACTED] point of your [REDACTED] service game (which was the [REDACTED] game of the match).
  - ii. The [REDACTED] [REDACTED] account placed three successful bets on this match, including bets that you would lose (i) the [REDACTED] point of the [REDACTED] game in the [REDACTED] set; and (ii) the [REDACTED] point of the [REDACTED] game in the [REDACTED] set.
- You [REDACTED] both of these points by serving double faults.

Charge 8 – [REDACTED] January 2018 – Fixed [REDACTED] tennis match in Egypt

- Breach of 2018 TACP Sections D.1.b (facilitating), D.1.d (contriving) and D.2.a.i (non -reporting)
- Betting data obtained from [REDACTED] and [REDACTED] revealed suspicious bets placed opposing you, as follows:
  - i. The [REDACTED] [REDACTED] account placed two successful bets for you to lose (i) the [REDACTED] point of your [REDACTED] service game (which was the [REDACTED] game of the match) and (ii) the [REDACTED] point of your [REDACTED] service game (which was the [REDACTED] game of the match).
  - ii. The [REDACTED] [REDACTED] betting account placed two bets on this match, however these were rejected by [REDACTED]
- You [REDACTED] the [REDACTED] point of the [REDACTED] game in this match and the [REDACTED] point of the [REDACTED] game in this match, both by serving a double fault.

## Charge 9 – Tampering with evidence and failing to cooperate

- *Breach of 2018 TACP Section F.2.b (non-cooperation)*
- *ITIA analyst, Steve Downes, conducted an analysis of the forensic phone download of your iPhone 7 which was conducted at the time of your interview on 31 January 2018 in Glasgow with ITIA Investigators Sarah Hamlet and Dee Bain.*
- *The analysis of the data on your mobile phone showed that you had made 17 outgoing calls to █████ █████ between 26 January 2018 and 31 January 2018, all of which had been deleted, which made up for 89% of all deleted calls on this handset. This suggests that you specifically deleted calls you had made to Mr █████ prior to the download by the ITIA.*
- *Furthermore, in your interview with Sarah Hamlet you stated many contradictions regarding your relationship with █████ █████ namely that you █████ █████ and that you had last seen █████ in █████ when in fact you were █████.*

## **PROCEDURAL BACKGROUND**

14. On 11 April 2024, pursuant to section G.1.a of the 2024 version of the TACP, the ITIA, served a Notice of Major Offense by process server at Ms. Tinjic's physical address. Therein, the ITIA informed Ms. Tinjic that she was being charged with up to twenty- three (23) alleged breaches of the 2017 and 2018 TACP contained within nine Charges (collectively, the Charges).
15. On 11 April 2024, Ms. Tinjic requested an extension of the deadline to file her reply to the Notice of Major Offense, which was granted by the AHO until 10 May 2024.
16. On 10 May 2024, Ms Tinjic (through her legal representative) filed submissions in which admitted liability for the Corruption Offenses but disputed and / or sought to mitigate the sanctions specified in the Notice of Major Offense.
17. On 14 May 2024, the AHO directed the ITIA to file its Submissions on Sanction in response to Ms. Tinjic's reply, by 5pm UK time on 28 May 2024, which the ITIA did.
18. Upon her request to do so and without objection from the ITIA, the AHO granted Ms. Tinjic the possibility of filing a Rejoinder to the ITIA's Submissions on Sanction. The same courtesy was extended to the ITIA. All parties filed their Submissions within the AHO's timelines.

## APPLICABLE LAW AND JURISDICTION

19. It is uncontested that the applicable rules are substantively the 2017 and 2018 TACP with regards to the alleged offenses and the 2024 TACP with regards to the procedure.
20. No party has objected to the appointment of the undersigned AHO to hear this matter. She has been properly appointed and seized of the matters in dispute.
21. Ms. Tinjic has questioned whether (i) she is still considered a Covered Person under the TACP and (ii) she can be subject to sanctions under the same.
22. Section B.27 of the TACP defines a Player as follows.

*B.27. "Player" refers to any player who enters or participates in any Event. A person shall be a Player for the purposes of this Program, and shall remain bound by all provisions of this Program, until the earlier of (i) the date of the Player's valid retirement in accordance with the requirements of the TADP, or (ii) two years after the last Event in which they enter or participate, unless, at either such time, the Player (a) is subject to a period of ineligibility under this Program or the TADP, in which case the covered period shall instead cease upon the conclusion of such period of ineligibility or (b) is aware that they are the subject of an ITIA investigation and/or a law enforcement investigation<sup>1</sup>, in which case the covered period shall instead cease upon the ITIA closing the investigation or the Player or ITIA being informed that the law enforcement investigation has been closed, or ten years, whichever is earlier.*

23. Here, neither had the Player provided notice of retirement nor had the ITIA notified her that it was closing the investigation against her. She is thus still bound by the 2017, 2018 and 2024 TACP and considered a Covered Person under all applicable TACP versions. She therefore is also subject to Sanctions imposed under the TACP as guided by the Tennis Integrity Supervisory Board Sanctioning Guidelines (the "Guidelines").
24. The Player has also raised a question whether she may still be subject to the TACP due to the historical nature of her offenses (which occurred in 2017 and 2018) The limitation period to bring actions against Covered Persons under the TACP is set out in Section C.2 as follows:

*'No action may be commenced under this Program against any Covered Person for any Corruption Offense unless such action is commenced within either (i) eight years from the date that the Corruption Offense allegedly*

occurred or (ii) two years after the discovery of such alleged Corruption Offense, whichever is later.'

25. The ITIA's action against the Covered Person, Ms. Tinjic, has therefore been brought in time under the 2024 TACP as the admitted Offenses occurred in 2017 and 2018, within the prescribed eight-year limitation period.
26. No other matters relating to jurisdiction or the arbitrability of these matters have been raised by any party.

## **PARTIES' SUBMISSIONS ON SANCTION**

27. The AHO has carefully considered the totality of the Parties' written submissions, which are summarised below. Additional facts and allegations found in the Parties' submissions and evidence may be set out, where relevant, in connection with the legal discussion that follows. The AHO refers in her award only to the submissions and evidence she considers necessary to explain her reasoning.

### **I. Ms. Tinjic**

28. Ms. Tinjic has admitted all the Charges brought against her as outlined in the Notice of Major Offense.
29. Ms. Tinjic explains that she has not played tennis for several years, has completely left the tennis world and has no plans or opportunities to return. She thus questions whether she should still be considered a Covered Person under the TACP<sup>3</sup>.
30. If she is to be considered a Covered Person, she seeks to mitigate any applicable sanctions under the Guidelines.
31. Ms. Tinjic submits the following arguments with reference to the ECH and the ECHR:
  - Relying on the context of criminal law where the ECJ has considered that proceedings that exceed one year are disproportionate, the amount of time it took the ITIA to bring the action forward should be a strong mitigating factor and result in the fine being fixed at \$0.
  - Article 6 and 13 of the ECHR should apply by analogy to this matter and have a substantial impact in reducing any discipline imposed upon her.
32. Ms. Tinjic also relies on the legal principle *ne bis in idem* and submits as follows:

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<sup>3</sup> The AHO has already found above at paragraph 23 that Ms. Tinjic is still a player and considered a Covered Person for the purposes of the TACP and sanctioning in accordance with the Guidelines.



- She has already been prosecuted in a Court of law for taking a bribe in return for fixing aspects of her tennis matches and has been sanctioned and fined for these crimes. She cannot be held accountable twice for the same crime,
  - She has already been sanctioned and is currently serving a suspension of four years and six months as imposed by the Swedish Tennis Association. It would be unreasonable for her to be suspended twice for the same offenses.
33. She submits that her actions have in no way affected the final result of any match and emphasizes that as a player she always did her utmost to achieve the best results and win matches. Therefore, she does not consider that her actions amount to match fixing.
34. She explains that at the time she was playing competitive tennis she was always at a financial loss. All the money she earned went to cover her costs. She submits that she did not profit from any of the bets that occurred in connection with the tournaments she played.
35. At the time, she was extremely stressed, and suffered from anxiety and depression. Her financial situation exacerbated these and did not allow her to deal with them properly. She was thus vulnerable and allowed herself to be influenced in a way that would or should not have happened otherwise. For this she expresses her deep regret and anguish.
36. She questions the way her 31 January 2018 interview was conducted by the TIU.
- It was unexpected and in the middle of a tournament and kept being interrupted by match play.
  - It was not conducted in her language leading her to request an interpreter
  - She did not fully understand the meaning of the questions and could not fully express herself in a way she wanted and intended.
  - Her answer with regards to her relationship with ■■■■■■■■■■ was misunderstood. She did not lie about it. She simply could not clarify that they were at that time separated due to the turbulence in their lives.
37. Mr. Tinjic also provides evidence of her income, underlining that it is has been minimal sine 2019 and ever more so now that she is not working and only receiving child support as a new mother to subsist. Any financial discipline imposed upon her would be a large burden and disproportionate to her actions.
38. Therefore, Ms. Tinjic states that if she is not to be considered a Covered Person – all discipline against her should be waived. (The AHO notes here that this is not the



the level of impact that a Covered Person's actions have had which are then ranked against various criteria in categories 1 to 3.

44. As to culpability, the ITIA submits that Ms. Tinjic actions sit in the B Category because:

- Her offenses included some planning or premeditation given which points to fix was predetermined.
- She committed them whilst acting in concert with others.
- Twenty-three (23) separate breaches of the TACP certainly amount to several offenses over a short period of time.

45. As to impact, the ITIA submits that Ms. Tinjic's offenses fall between Category 1 and 2 because:

- Facilitating (D.1.b.), contriving (D.1.d.), receiving money (D.1.f.) and failing to report a corrupt approach (D.2.a i./ii) are all Major TACP Offenses. Along with tampering with evidence (F.2.b) as an aggravating factor, the Offenses together must be found to sit in Category 1.
- Her match fixing Offenses have resulted in a "material impact on the reputation and/or integrity of sport" even if the contriving occurred at relatively low-level professional (ITF) events. The Events at which Ms. Tinjic committed these offenses took place on the ITF tour, which acts as a feeder-tour for, and is therefore intrinsically linked to, the highest levels of professional tennis. In addition to match fixing being a significant threat to the integrity and playing of the actual game of tennis, once the AHO's sanction decision is published, the impact on the reputation of tennis is likely to suffer a material impact. These actions are best characterised in Category 2.
- It is known that she received payment in December 2017 for three of the matches and can be assumed that she received payment of a relatively high and material value for her other matches. The ITIA submits that Ms Tinjic sits within Category 1 – Category 2 in this respect.

46. Whilst recognizing that the Guidelines provide AHOs unfettered discretion to determine the appropriate categorisation and, thereafter, the starting point, the ITIA submits that the appropriate categorisation of the offending conduct is between Category B1 and Category B2, with a small 'uplift' from the mid-point given the number of offenses committed.

47. Applying the Guidelines, the ITIA submits that the starting point for Ms. Tinjic's conduct should be a ban of eight years as it is between the starting point for B1 (10 years) and B2 (3 years).

48. The ITIA also notes various mitigating factors:

- Ms. Tinjic has expressed genuine remorse.
- MS. Tinjic has admitted all offenses thereby avoiding the need for a costly hearing.

49. Ms. Tinjic did not admit the Offenses right away upon being confronted with the same and thus cannot benefit from the full 25% reduction provided in the Guidelines. However, the ITIA submits that a 15 % reduction is appropriate. The ITIA therefore submits that the appropriate participation ban (as defined in Section B 26 of the TACP) is of six years.

50. In its Rejoinder, and in consideration of the Swedish Tennis Association's decision which was upheld by the Swedish Sports Confederation on appeal which imposed a four (4) year and six (6) months ban on Ms. Tinjic as a result of some but not necessarily all of her Offenses. The ITIA submitted that it was reasonable for Ms. Tinjic's sanction under the TACP to be backdated to the start of the sanction imposed in Sweden.

51. With regards to the monetary fine, the ITIA submits that the potential applicable fine for Ms. Tinjic under Section H.1 is a \$ 250,000 fine plus repayment of the corrupt payments received. The ITIA does note that as a result of the Gothenburg court judgment, Ms. Tinjic has already been ordered to repay the known corrupt payments she had received, i.e. SEK 12,000.

52. Applying the Guidelines here, since Ms. Tinjic has admitted liability for all twenty-three (23) breaches of the TACP, the ITIA submits that the appropriate starting point for the fine is \$40,000.

53. In response to the Player's arguments that no fine should be imposed for acts for which she has already been prosecuted and that she has limited financial means, the ITIA submits that the charge that related to the bribe is but one of the many charges brought against her, that disciplinary sanctions issued by a sports organisation are disciplinary and not criminal in nature, and that any of her arguments based on the ECJ's notes on proportionality in the face of lengthy criminal procedures are not applicable here.

54. The ITIA further notes that the Guidelines provide as follows:

*'Where the Covered Person has made admissions, a portion of the fine payable may be suspended on certain conditions which should ordinarily include as a minimum there being no other Corruption Offenses committed, discovered or proven against the Covered Person for at least the period of suspension. Timing of the admission may also be a factor, the earlier the admission, the greater the impact of that admission. A full admission prior to the Agreed Sanction stage or prior to a Notice of Offense"/ Major Offense may attract up to a 75% suspension of the fine.'*

55. Given that Ms. Tinjic did not make full admissions prior to the Notice being issued, she cannot benefit from the maximum suspension. The ITIA submits that a 50% suspension may be applied, resulting in a fine of \$40,000 payable (with a further \$20,000 suspended on condition that she does not commit any further Corruption Offenses during her period of suspension).

56. In summary the ITIA respectfully requests the AHO to impose the following sanctions on Ms. Tinjic:

- A six (6)-year participation ban.
- A fine of \$40 000 (with \$20 000 suspended).

## **DISCUSSION**

57. The sanctions which may be imposed by the AHO in relation to the Charges are set out in section H.1.b of the 2024 TACP. That section reads as follows::

*"With respect to any Related Person or Tournament Support Person, (i) a fine of up to \$250,000 plus an amount equal to the value of any winnings or other amounts received by such Covered Person in connection with any Corruption Offense, (ii) ineligibility from Participation in any Sanctioned Events for a period of up to three years, and (iii) with respect to any violation of Section D.1., clauses (c)-(p), Section D.2. and Section F. ineligibility from Participation in any Sanctioned Events for a maximum period of permanent ineligibility."*

58. The greatest possible sanction for Ms. Tinjic under section H.1.b is a lifetime/permanent ineligibility from Sanctioned Events, a \$250,000 fine and repayment of any corrupt payments ██████████ may have received.

### **The Period of Ineligibility**

59. To determine the appropriate period of ineligibility, the AHO is guided by regulations, jurisprudence and the Guidelines.

60. As did the ITIA, the AHO refers to and relies upon the Guidelines under which the Offenses committed by Ms. Tinjic are classified as Category B offenses.
61. The AHO also accepts to a certain degree that the *ne bis in idem* may apply here and that even no legal action can be instituted twice for the same cause of action. The ITIA has rightly argued that the criminal proceedings and fines that arise therefrom are separate from these proceedings. However, the suspension imposed by the Swedish Tennis Association and Swedish Sports Confederation is a disciplinary sanction and should be taken into consideration by the AHO in terms of proportionality. The ITIA has also conceded this point in its Rejoinder and submitted, reasonably, that any AHO ban imposed on Ms. Tinjic's be backdated to the start of the ban imposed in Sweden.
62. The AHO applies the Guidelines and weighs up all the evidence and factors of this case. The AHO agrees that the AHO's proposed ineligibility of eight (8) years is appropriate under the circumstances given the category of TACP Major Offenses, the fact she worked in concert with others to commit the same (██████████ and others) and that the Offenses were committed in a protracted period of time (twenty-three offenses in 2017-2018).
63. Given that AHO also accepts that the otherwise applicable period of ineligibility of eight (8) years should be reduced by 15% to due Ms. Tinjic's admission and genuine remorse, and that she is already serving a period of ineligibility of four years and six months imposed by the Swedish Tennis Association and Swedish Sports Confederation until 18 November 2026, the AHO imposes a period of ineligibility of six years.
64. To ensure proportionality, in respect of the legal principle of *non bis in idem* and to avoid what might amount to double jeopardy, the AHO is thus "adding" 1 year and six months onto the suspension already being served in Sweden. Therefore, the AHO is backdating the start of Ms. Tinjic's period of ineligibility to start of the ban imposed by the Swedish Tennis Association and Swedish Sports Confederation. Her period of 6 years ineligibility is thus to end on 17 May 2028.

### **The Fine**

65. In accordance with TACP Section H.1.a., the AHO may impose a fine in addition to an amount equal to the value of any winnings or other amounts received by such Covered Person in connection with any Corruption Offense. Here, an inference can certainly be made that Ms. Tinjic made money from her corrupt endeavours although in addition to those sums which she was ordered to pay back (12 000 SK) further to the judgement rendered against her in her criminal

case, the exact amount is impossible to determine or even uncover. On the evidence, the amount appears to be minimal.

66. The AHO has considered the ITIA's submissions and agrees that \$40,000 may be a starting point for the determination of the sanction by reference to the Guidelines.

67. However, the AHO also considers the following:

- the Player has already been sanctioned both by the penal courts and the Swedish Tennis Association and Swedish Sports Confederation for many of the same Offenses.
- the Player was relatively young and impressionable at the time she committed the Offenses.
- The match-fixing at the tournament in Turkey and receipt of money for the same relates to three of the seven matches for which Ms. Tinjic has been charged by the ITIA under the TACP and the Player has already repaid as discipline the bribe earnings tabulated in the Penal case and which partly form the basis the ITIA charges.
- There is no direct or indirect evidence in the case file to support the ITIA's submission and assumption that Ms. Tinjic received monies from the other matches she fixed. The evidence tendered by the Player indicating that her financial situation was dire at the time also does not support the ITIA's assumption. Others certainly benefited from her match fixing, but the AHO cannot conclude on the evidence that she did.
- The Player has and continues to show genuine remorse for her actions and made admissions, saving the ITIA time and money.

68. Based on the above, the AHO finds that the presumptive fine of \$40,000 proposed by the ITIA should be reduced in half. The AHO thus sets the applicable fine at \$20,000.

69. Taking into consideration the entire circumstances of this case as set out above, the AHO finds that it is proportionate and reasonable to suspend \$18,000 of this applicable fine on the condition and promise that Ms. Tinjic's never commits or is not found to have committed any further TACP breaches in the future.

## **ORDER**

70. Jasmina Tinjic, a Covered Person as defined in the 2017, 2018 and 2024 TACP, is liable for twenty-three (23) separate Corruption Offenses in breach of the following 2017 and 2018 TACP sections:

- D.1.b (Facilitation of betting)
- D.1.d (Contriving)
- D.1.f (Receipt of Money)
- D.2 a.1 and/or ii) (Failure to Report)

71. Pursuant to the TACP and the Guidelines, the sanctions imposed upon Ms. Tinjic as a result of these Corruption Offenses are:

- i. A six (6)-year ban from Participation, as defined in Section B.17 of the 2024 TACP, in any Sanctioned Event as prescribed in TACP Section H.1.b. (i), effective on the date of this Decision.
  - a. This ban is to be backdated and run concurrently with the four year and six months ban imposed by the Swedish Tennis Association and upheld by the Swedish Sports Confederation (that is to end November 17 2026).
  - b. The ITIA's 6-year ban will therefore end on 17 May 2028.
- ii. A \$20,000 USD fine as prescribed in TACP section H.1.b.
  - a. \$ 18,000 of this fine is to be suspended on the condition that Ms. Tinjic does not commit or is not found to have committed any further TACP breaches in the future.
  - b. The Fine is to be repaid in accordance with an agreed upon repayment plan between the Ms. Tinjic and the ITIA.

72. Pursuant to TACP Section G.4.e., this Decision on Sanction is to be publicly reported.

73. Pursuant to TACP Section G.4.d. this Decision on Sanction is a full, final, and complete disposition of this matter and is binding on all parties.

74. This Decision can be appealed to the Court of Arbitration for Sport in Lausanne, Switzerland within twenty Business Days from the date of receipt of the decision by the appealing party.

Dated at Beaconsfield, Québec this 21st day of June 2024.




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Janie Soublière C. Arb. Anti-Corruption Hearing Officer