

**The Honourable Mr. TM Mbeki,
President of the Republic of South
Africa**

**COMMISSION OF INQUIRY INTO
CRICKET MATCH FIXING AND
RELATED MATTERS**

**Your Commissioner has the honour to present
the Interim Report of this Commission.**

Signed at CAPE TOWN on 11 August 2000

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JUDGE EL KING

1. The Commission was established by the President in terms of Section 84(2)(f) of the Constitution of the Republic of South Africa, (Act No 108 of 1996) as a Commission of Inquiry into Cricket Match Fixing and Related Matters.
2. The Terms of Reference of the Commission and the Regulations governing the proceedings were published in Proclamation R26 of 2000 in Government Gazette No 21153 (Regulation Gazette No 6801) dated 8 May 2000. The regulations were declared applicable to the Commission by direction of the President under the powers vested in him by Section 1 of the Commissions Act, No 8 of 1947.
3. By virtue of Paragraph D of the Terms of Reference the Commission is required immediately to conduct a preliminary investigation in relation to the matters referred to in Paragraphs A1, 2 and 3 of the Terms of Reference and to publish an Interim Report thereon by not later than 30 June 2000. The President subsequently extended this deadline to 11 August 2000.
4. The Terms of Reference requiring preliminary investigation are
 - A.1. The disclosures made by the former South African cricket captain, Hansie Cronjé, that during the Triangular Tournament between South Africa, England and Zimbabwe in January and February 2000, he received payment of approximately \$10,000-00 from a bookmaker and, in particular –
 - 1.1 the identity of the person from whom he received such payment;
 - 1.2 the intended purpose of the payment;
 - 1.3 the persons who were aware of such payment;

- 1.4 any decisions, actions or omissions by him or anybody else as a result of such payment; and
 - 1.5 any other matters related or incidental to the receipt of such payment.
- A.2. Whether during the period 1 November 1999 – 17 April 2000, and excluding the matters referred to in paragraph 1, any member of the South African cricket team or team official received or was promised payment of any amount of money or other benefit (excluding salary, emoluments, sponsorship and other payments or benefits lawfully connected therewith) in relation to his or her functions as a member of the South African cricket team or as a team official and, if so,
- 2.1 from whom such payment was received or promised;
 - 2.2 the intended purpose of such payment or promise;
 - 2.3 the persons who were aware of such payment or promise;
 - 2.4 whether any decision, action or omission by the recipient or anyone else in consequence of such payment or promise occurred; and
 - 2.5 any other matters related or incidental to the receipt of such payment or promise.
- A.3. Whether a proposal was made to the South African cricket team during its tour to India in 1996 that it forfeit or otherwise influence the result of a cricket match and if so, -
- 3.1 by whom the proposal was made;
 - 3.2 to whom the proposal was made;
 - 3.3 the terms of the proposal;
 - 3.4 who was aware of the proposal;
 - 3.5 any decisions, actions or omissions by any person as a result of such proposal; and
 - 3.6 any other matters related or incidental to such proposal.

5. **All references to dollars in this report are to United States Dollars.**

6. **The events which have led to the appointment of the Commission** commenced with the receipt by Bronwyn Wilkinson, Communications Manager of the United Cricket Board of South Africa (“the UCB”), during the morning of 7 April 2000 from a journalist in England, of information that a story was being circulated by a press agency that the police in Delhi had held a press conference and alleged that Hansie Cronjé, at the time captain of the national side and three (3) other South African players were involved in match fixing. The other players were shortly thereafter identified as Gibbs, Bojé and Strydom.

7. That same morning Ms Wilkinson conveyed the information to Dr Aron “Ali” Bacher, Managing Director of the UCB. Bacher and Wilkinson contacted Cronjé telephonically. He denied the allegations immediately and emphatically, describing them as “absolute rubbish”. On the strength of this disavowal Wilkinson released the following press statement (on 7 April 2000):

“MATCH FIXING ALLEGATIONS”

“The United Cricket Board of South Africa is certain that no South African cricket player has ever been involved in match fixing.

UCBSA managing director Dr Ali Bacher has spoken to South African captain Hansie Cronjé, who is adamant that the allegations contained in press reports in India are completely

untrue. Cronjé is known for his unquestionable integrity and honesty.

Released by
Bronwyn Wilkinson
Communications Manager”

8. Both Gibbs and Bojé confirmed to Bacher that they had not been involved in match fixing. Strydom telephoned Bacher later that day to the same effect.
9. As a consequence a further press statement was issued also on 7 April 2000. It reads:

“April 7 2000

Following allegations that have appeared in the media from India, UCBSA managing director Dr Ali Bacher has spoken with the four players named in the reports.

South African captain Hansie Cronjé is a man of enormous integrity and honesty. He and his team-mates Nicky Bojé, Herschelle Gibbs and Pieter Strydom are emphatic that there is no substance to allegations that they were involved in match fixing during the One-Day International series in India. The UCBSA believes that these players have not been involved in the practice of match fixing.

The UCBSA and the players concerned have had no contact from police in India and learnt about the allegations through media reports.

Hansie Cronjé said: “I have been informed by the UCB of the statements that have been made in the media and I am stunned. The allegations are completely without substance. I have been privileged to play for South Africa since 1992 and I want to ensure every South African that I have made a hundred percent effort to win every match that I have played. It has been an honour to play for South Africa and I would never do anything to let my country down.”

Bronwyn Wilkinson
Communications Manager”

10. On 8 April 2000, Bacher was in contact with various officials and journalists, assuring them of Cronjé’s innocence of the charges levelled at him.
11. On 9 April 2000 a press conference was scheduled for 19h00. Prior to that Bacher, Wilkinson, Goolam Rajah manager of the South African cricket team, Clifford Green the UCB attorney, Cronjé, Gibbs and Bojé met, in preparation for the press conference, which was to be held in Durban where the team had assembled prior to the playing of the 1st of 3 One-Day Internationals (“ODIs”) against Australia on 12 April 2000.
12. During this discussion Cronjé asserted that he had never been involved in throwing a match; anyone could look at his bank account to see if he had received any money and he had never approached any player to throw a game. Gibbs and Bojé denied any involvement. At the conference, according to Bacher, Cronjé essentially repeated what he had said at the meeting.

13. On 10 April 2000, Bacher and the then acting President of the UCB, Adv. Percy Sonn were visiting a game park in the company of the Chairman and Chief Executive Officer of the Australian Cricket Board, Mr Denis Rogers and Mr Malcolm Speed.
14. At 03h00 on 11 April 2000, Bacher received a telephone call from Rajah who put Cronjé on the line. He told Bacher that he, Cronjé had not been honest with him; he admitted that he had taken money from a bookmaker, Sanjay, an amount of between \$10,000 - \$15,000. Cronjé also confirmed what the newspapers were saying; namely that Sanjay had been staying in the same hotel as the players during the ODI at Cochin, India.
15. Bacher contacted Sonn and they agreed to:
 - withdraw Cronjé from the national team
 - ask the Government to convene a judicial enquiry
 - publicly apologise for defending Cronjé
16. At 06h00 that day Bacher received from Rajah a fax of Cronjé's written statement which deals with Cronjé's relationship with Sanjay and Hamid Cassim, who had acted as intermediary between the two.
17. The circumstances surrounding the preparation of this statement are detailed by Cronjé himself and by Rory Steyn.
18. Rory Steyn is a security consultant in the service of the UCB. He accompanied the South African team to Durban on 9 April 2000. He was concerned with the security of the Australian team (which was to play South Africa at Durban on 12 April 2000).

19. At about 02h00 on 11 April 2000 he received a call from Cronjé requesting him to come up to Cronjé's room. There he found Cronjé packed and ready to leave. He handed Steyn a hand written, signed statement.
20. When Steyn entered Cronjé's room he found him "incredibly calm, wide awake, lucid"; later on he became very emotional and at times was in tears. Cronjé commenced by saying that "these lies cannot go on anymore" or words to that effect. He told Steyn that some of what had been reported in the media was true.
21. The media had reported excerpts of transcripts of taped mobile phone conversations in the possession of the Indian Police. Cronjé confirmed to Steyn that the conversations, of which the excerpts had been published, **had** taken place.
22. Steyn described Cronjé as "clear and adamant" in what he was trying to convey, and he was very lucid with regard to the enormity of what he was saying and what he was achieving by doing so i.e. coming clean.
23. The statement which was written in the form of a letter and was prepared by Cronjé in the small hours of the morning of 11 April 2000 when, Cronjé emphasised, he was in a highly emotional state, includes the following passages:

"It has been a tough weekend, but also a great weekend for me, in that I now have the opportunity to face myself in the mirror again for the first time since the Indian tour.

It started after the 5th test against England, the day before the first ODI against Zimbabwe at Wanderers. On my way to the nets, I was stopped by Hamied, a bloke whose been hanging around the team for a few years now, always handing out biltong for the guys in return for some tickets.

He told me that if only he knew I was going to declare, he could have made himself some good money, and my reply was, “Why don’t you ask?”

He later introduced me to a friend, called Sanjay, during the ODI-series with England and Zimbabwe. Together they told me that I could also make some cash, if we could maybe loose a match. I told them that I was not prepared to do it, unless we were assured of a place in the final. Off-course we only narrowly got through to the final and the opportunity never came. I had in my possession at that stage US\$10 – \$15,000 that Sanjay gave me, just in case I had a change of mind.

I told him that maybe the first ODI in India, I could see what could be done, thinking that if we could get the match out of the way, I would get rid of them and could then focus purely on cricket. My idea was never to involve other players, but merely forecast which way the match was going to go, looking at the pitch and conditions. He was adamant that it could not be done alone, so I suggested that I would speak to some of the players, lying to him to get rid of them after the first match.

I would like to make it absolutely clear, that I never spoke to any member of the SA team, whether player or management, about this. I lied to him by saying certain players were involved,

where in fact I had never spoken to any of them. I couldn't face asking them to do it. I can't recall all the names that I mentioned, and I can't remember the figures that were mentioned.

I ignored him the night before the match, but then early the next morning Hamied phoned me again and urged me to go ahead with the plan. I phoned him up and suggested we go for it. All this time I had in the back of my mind, pride to play for SA and my team-mates, whom I all respect. It was a difficult period for me before the match, and I then decided I won't not try. I'll give it my best shot and see what happens. (In his evidence on this point Cronjé said Cassim phoned him urging him to phone Sanjay.)

As it happened we got 301 for 3, I got 19 off 20 balls and India knocked it off quite comfortably after Hayward got injured. I can honestly say that I tried to win the match, even at that stage. When I got back to the hotel, Sanjay was upset because we got too many runs, and I blamed the Indian keeper for three chances that he missed, obviously not saying that those players were never involved. I did not accept any money for that match.

Hamied kept phoning me and saying that they were now worse off than before and I said the players are angry with me for not getting their money. He said not to worry, he'll make up for it during the series.

For the next 3 matches I was really only forecasting what I thought would happen, as I really wanted to win the series. I mentioned some names again, and quoted some figures again,

none of which I can even remember, simply as a lie. Once again I want to make it clear that I never spoke to any player about this at all.

Before the final match, I said that we'll go for this one as Pollock, Kallis and Hayward were injured and again mentioned some names, none of which was true. I never approached any players their (sic) either. The match went well for us and we won quite comfortably in a high scoring match. I got 39 off 31 balls and tried my best, even though I said I wouldn't.

That was the last I spoke to him and I told Hamied not to bother me anymore. In Dubai he called me a few times, fishing around and trying to get some tickets, which I organized, but nothing was done after again. I went through the Sharjah-Cup giving 100% and was obviously disappointed at not playing in the fourth match, thus ending my long run of consecutive matches for SA.”

(the “Hamid” referred to is Cassim)

24. Wilkinson testified that she telephoned Cronjé on the morning of 7 April 2000 and told him of the reports that he had been “charged” with match fixing by the Indian Police. According to Wilkinson, Cronjé snorted (“a kind of snort-laugh”) and asked her if she knew anything else; she said not and Cronjé asked her to let him know if she found out anything else.
25. Wilkinson confirmed the release of the press reports and meetings adverted to by Bacher.
26. Wilkinson was also in contact with the Indian Police who informed her that the players concerned had been charged with “cheating, fraud

and criminal conspiracy”; this had been announced at a Press conference, so Wilkinson was told.

27. Wilkinson was in constant contact with Cronjé that day. Initially he did not convey to her that he had knowledge relating to the events. During the course of the day Wilkinson received the transcript of portion of the tapes referred to in evidence before the Commission; she questioned Cronjé on them. Cronjé said he did not know Sanjay. He said that there was nothing in the story that money had been paid into his London bank account. Referring to the 2nd Press statement, Wilkinson confirmed that she read the full statement to Cronjé who approved it, including his quoted words which, Wilkinson testified, she and Cronjé worked out together.
28. Wilkinson recalled that at the Press conference on 9 April 2000, Gibbs and Bojé both denied any involvement. She also noticed that when Cronjé said that he had nothing to hide and invited the Police to check his bank “account”, he used the singular which struck her because he had previously told her of his bank account in England and she assumed that he also had one in South Africa.
29. Cronjé had also indicated that the Police could ask the other players if he had ever approached them and immediately after the press conference he said to Wilkinson, “Bronwyn please just make sure that everyone knows I never spoke to another player.”
30. Wilkinson testified that Rory Steyn had told her that Cronjé had told him that “everything that was in the transcripts was true but, that what was not there was him telling Sanjay to get lost and leave him alone.”

31. Wilkinson was present when Goolam Rajah told the players what had happened. Rajah told them that Cronjé had said that what was in the transcripts was true, but that his efforts to get rid of Sanjay were not on the transcript. Several of the players were given Cronjé's statement (i.e. the letter) to read, but they did not apparently read it in full. Wilkinson confirmed her presence at the team meeting addressed by Bacher. Wilkinson was also present at the subsequent Press conference on 11 April 2000.
32. Wilkinson continued during this period to be actively involved in various other matters pertaining to the subject of the enquiry but of a peripheral nature.
33. It may be mentioned here that on 13 April 2000, Cronjé's attorneys on their client's behalf issued a statement. It was faxed to Wilkinson by Cronjé's attorney for her to pass on to various media. In fact, according to Wilkinson's notes, Bacher and Green advised Wilkinson that she could not issue a statement on Cronjé's behalf; all she could do was fax it out on the Attorneys' letterhead with her name not appearing on it. This she did. It was released on 13 April 2000. It was carried on the Crickinfo website. It reads:

"I find myself in an awful predicament brought about by my own foolishness and naivety. I realise that I face certain personal difficulties of my own making but what concerns me most is the hurt and disappointment that I have caused my wife and family, cricket fans throughout South Africa, the United Cricket Board and my team-mates in the South African Proteas Cricket side.

Some of my team-mates have come under the spotlight as a result of the police enquiries in India. I know of no member of any side that I have lead who has done anything reprehensible

or wrong. Speculation and criticism directed against other members of the team is wrong and unjustified.

As the authorities are at present unwilling to make available the information on which allegations have been made against me, it is unfair and impossible for me to respond to them at this stage. There is to be an enquiry in South Africa and possibly other legal proceedings. Until there is greater clarity concerning the basis of these allegations I have been advised that it is inappropriate for me to comment on them and on the rumours and speculation which are in circulation. All I will say is that I was not involved in fixing or manipulating the results of cricket matches. I always played to win.

The only light that I have seen in these last few dark days has been the magnificent victory of Shaun and his team against Australia last night. I cannot begin to express the emotion I felt when that side emerged victorious and it must be indicative of the morale and commitment of that side to have won so high profile a game under the circumstances in which they found themselves. I am truly proud to have been associated with this side one and all and wish Shaun and the rest of the team nothing but success in the future.”

34. In the early afternoon of 11 April 2000, Bacher, Sonn, Wilkinson, Rajah and Green met with the team at their hotel in Durban. Bacher informed the team of the seriousness of the situation and enquired generally of the players whether any had been involved in or had information concerning match fixing. He thereafter asked Gibbs and Bojé specifically whether either had been approached; both repeated

their denial as did the others present (Strydom was not present; he was not part of the squad).

35. On 19 April 2000, Rajah, Green, Wilkinson and Bacher met at the latter's residence. Bacher telephoned Gibbs, Strydom and Bojé and asked them if they had been approached by Cronjé. Gibbs and Strydom said they had and agreed to meet with Bacher the next day. Bojé was adamant that he had not been approached and did not attend the meeting with Bacher.

36. On 20 April 2000, Strydom and Gibbs met with Bacher, Green, Wilkinson and Richard Harrison, a member of the UCB executive committee. Wilkinson kept minutes of the meeting; in essence the two players told of approaches made to them by Cronjé in India; they had not accepted these; Boucher and Kallis had also been approached by Cronjé and after the matter broke, Strydom had received a telephone call from Cronjé; he told Cronjé that he could not lie to the "investigation". Cronjé told Strydom not to worry and to admit being approached but not to mention the money. Strydom testified as follows:

"I did, but before I phoned Dr Bacher I gave Hansie a ring, and I just wanted to know what was going on. I just asked him why my name was mentioned, and he said no, well he's just throwing around a few names because he was being pressurised. And he said the stuff that's going on has got nothing to do with the Test, the Test in Mumbai, so I've got nothing to worry about, the whole furore was about the third and fifth, I think, one-day internationals. So he said I've got nothing to worry about."

37. Shortly thereafter there was a further telephone discussion between Strydom and Cronjé –
- “...I was phoned by Hansie the next day, and he just phoned to find out how I was, if I was keeping alright, you know, with all this stuff going on. And so I again asked him why my name was mentioned, and again he said, you know, because he was being pressurised and he just threw around some names. And then just a little thing worried me at the end when he – just before he put the phone down, he just said to me, ‘Well’ – ‘cause I said to him I – you know, ‘I can’t lie, and I’m not prepared to lie in any Commission.’ And Hansie said ‘It’s fine. You can tell exactly what happened, but just don’t mention the money.’”
38. When the matter was made public, Strydom at first denied any participation but subsequently admitted his involvement.
39. Bacher also spoke telephonically to Boucher who told him of Cronjé’s approach to himself, Klusener and Kallis together, and that they had thought it was a joke.
40. When the revelations were made public Gibbs was named as one of the players involved. On 9 April 2000, Gibbs attended a meeting with Bacher and others, namely, Cronjé, Rajah, Bojé, Bronwyn Wilkinson and Clifford Green.
41. At the meeting, Dr Bacher asked Gibbs if he had ever been approached and he answered untruthfully in the negative. Just after the meeting and before the Press conference, which followed it, Cronjé said to Gibbs that he should “just deny that I ever approached you and we ever accepted an offer”. Gibbs did as he was told. He was

asked at the Press conference if he was ever approached and replied in the negative. Gibbs maintained this untruth at a team meeting attended by Bacher. Gibbs gives as his reason for being deceitful that he was scared and was protecting Cronjé. He perpetuated the deceit when approached by Goolam Rajah and by Gary Kirsten his teammate and close friend. Even when Kirsten told him that Strydom, Boucher and Kallis had admitted being approached by Cronjé, Gibbs maintained his untruth.

42. After the news broke, Cronjé telephoned Gibbs on 16 April 2000 and told him that he could tell Bacher with whom, he had told Cronjé, he was going to have a meeting, that Cronjé approached him but no figures (i.e. sums of money) were discussed and that Gibbs turned down the offer. Cronjé also asked Gibbs to tell Williams to relate the same story i.e. that no amounts had been discussed, and also that Cronjé had not told Williams to bowl badly.
43. Some time later, Goolam Rajah telephoned Gibbs. Gibbs admitted to him that he had been approached by Cronjé but had declined the offer and that no amount of money had been spoken of. Gibbs said the same to Bacher when they had conversed on the telephone on 19 April 2000.
44. Gibbs perpetuated this half-truth at subsequent meetings with representatives of the UCB and with his own legal advisors as late as 22 May 2000. It was only on 31 May 2000 at the instigation of Mark Boucher, recently appointed South African vice captain, that Gibbs revealed to him and also to the legal representatives of both Boucher and Gibbs, Attorney Peter Whelan and Michael Fitzgerald S.C, the full extent of his participation in certain events at Nagpur on 19 March 2000.

45. Williams testified that he had given no further thought to the failed attempt on 19 March 2000 until on 7 or 8 April 2000 he saw in the Press that his name was linked with those of Cronjé, Bojé, Gibbs and Strydom in allegations of match-fixing. He said that he was shocked and panic-stricken at these disclosures.
46. On about 16 April 2000, Williams received Cronjé's instructions from Gibbs – that he must say that he had not accepted any offer from Cronjé, that he should say that it was all a big joke. At the meeting of 22 May 2000 with his legal representatives, Williams stuck to this story. On 31 May 2000 he received a call from Gibbs to say that he had disclosed the truth to Boucher and that he, Williams should do the same. Boucher confirmed this. The next day Williams told his legal representatives the truth.
47. **Turning to the evidence**, the first witness to testify was Neil Andrews, experienced in various fields in the gaming and wagering industry who told the Commission of the various ways in which betting on cricket matches can occur, with particular reference to spread-betting. Thus informed, and it may be mentioned that Andrews' evidence was supplemented by that of Marlon Aronstam (of whom more later), the participants in the Commission were better able to understand the intricacies of this somewhat esoteric avocation.
48. Essentially spread betting involves wagering on a spread of runs, e.g. between 230 – 240, that a team is going to make; the spread can and does change as the innings progresses. It can also involve the scores of individual batsmen.

49. Another “market” according to Andrews is the number of runs a side will make in the first 15 overs of an ODI.
50. Line betting is simpler. The punter bets on e.g. a particular batsman going out for less than, say 30 runs.
51. The opportunities for malpractice are self evident; if e.g. the bookie or punter knows that a particular batsman will contrive to get himself out on a score of less than that stipulated which has been agreed in advance.

Term of Reference A1

52. By his own admission, “Hansie” Cronjé received payment of between US\$ 10 000, 00 – US\$ 15 000, 00 in this way:
53. On 20 January 2000, the day before the first one-day international against Zimbabwe at the Wanderers Cricket Ground, Johannesburg, Cronjé was approached on his way to the nets. This was the first game in the Standard Bank International Series between South Africa, Zimbabwe and England. The approach was by one Hamid Cassim, who was known to Cronjé to whom he remarked “that if he had known of the declaration at Centurion (dealt with infra) he could have made money.” Cronjé responded “why didn’t you ask?”
54. Cronjé went with the team to Durban for the fourth one-day international in the series to be played against Zimbabwe on 2 February 2000. The team, was staying in a hotel at Umhlanga Rocks outside Durban. Cassim was at the hotel when Cronjé arrived; he introduced the latter to a man whom Cronjé knew of as Sanjay; Cronjé was not told whether Sanjay was a “bookie” or a punter.

(Sanjay's surname is Chowla or Chawla; he is an Indian national resident in the United Kingdom).

55. To continue in Cronjé's own words

"Hamid and Sanjay indicated that Sanjay wanted me to supply them with information, but did not specify what information. They also said that I could make a lot of money if we would lose a match. I said that I was not prepared to do it unless we were assured of a place in the final of the triangular series. I was spinning them along as I did not think that I had any real intention of throwing a match. Sanjay handed me a cell-phone box containing US dollars in case I changed my mind."

Sanjay also mentioned \$100,000 as being what he was prepared to pay for a "fixed" match; the fact that Sanjay mentioned this sum only came out towards the end of Cronjé's evidence.

56. Thus Cronjé was promised a substantial amount of money in case, as he testified, he changed his mind and agreed to deliberately lose or "throw" a match. Cronjé had told Sanjay and Cassim that he was not prepared to throw a match unless South Africa was assured of a place in the final. (It is significant that on first meeting Sanjay, Cronjé chose to "spin him along" rather than reject his overtures out of hand).

57. Cronjé explains this as follows:

"It was not initially my intention to throw any games or to fix results: driven by greed and stupidity, and the lure of easy money, I thought that I could feed Sanjay information and keep the money without having to do anything to influence matches. In fact there was no manipulation of games or results in South

Africa, and I supplied no information in respect of the matches in South Africa.

I realise now that the purpose of the payment was to “hook” me for the Indian tour. As set out below, on the Indian tour in February and March 2000. I was increasingly pushed to manipulate results, and found that I had got into something from which it was very difficult to get out.”

58. Further light was shed on the meeting in Durban by the evidence of Cassim. He it was who flew down to Durban from Johannesburg to arrange a meeting between Cronjé and Sanjay (at the latter’s request) at the hotel at which both were staying. In fact Sanjay paid for Cassim’s flight from Johannesburg to Durban return, a flight which Cassim made despite considerable personal inconvenience.
59. Cassim was present at the discussion between Sanjay and Cronjé; he professed to be watching cricket on TV at the time; he took no part in the discussion, but was able to recall what was discussed in the approximately 10 minutes that the conversation between Cronjé and Sanjay lasted.
60. Cassim and Cronjé are substantially *ad idem* as to the contents of the discussion. Sanjay wanted a “forecast which way the match was going to go, looking at the pitch and conditions” (Cronjé in evidence in chief, reading from a prepared statement).
61. In his affidavit Cassim goes further; he says the following:
“ Sanjay and Hansie Cronjé thereafter had a conversation for approximately 10 minutes relating to cricket. They were talking *inter alia* about match forecasting, pitch conditions, team

selection, the conditions upon winning the toss. They were further discussing the number of runs in one-day international cricket matches. I also heard them discussing team selection and who would be batting in which order and who would be bowling.”

62. Cassim confirmed this in his evidence in chief, confirming also the correctness of a question put to him by his Counsel, Adv. Witz:

MR WITZ: And you told the Commissioner that they were also discussing the number of runs in the one-day games and you also heard them talking about team selection; who would be batting; which order; and who would be bowling. And this related in particular to the one-day games. Would that be correct?

MR CASSIM: Correct.”

(more on Cassim *infra*)

63. Under questioning by the Commissioner and Brendon Manca, junior counsel for the UCB (to Jeremy Gauntlett S.C.), Cassim confirmed that Cronjé and Sanjay were discussing “match forecasting”; he explained this phenomenon as follows:

COMMISSIONER: What is meant by match forecasting, what is meant by that? Who is going to win and who is going to lose?

MR CASSIM: No I think match – they were discussing like what scores will go. If my memory serves me correct, the pitch. He was asking players that were going to play. I mean forecasting, I can’t recall the forecasting part that’s why I am just trying to think carefully. Well as far as I can remember it was not who was going to win and who is going to lose.

COMMISSIONER: Well then what is the forecasting, how many runs a team is going to make? How many runs a team is going

to make? How many runs an individual is going to make? How many runs a bowler is going to give away in his ten overs?

MR CASSIM: I think how many runs the team was going to make.

MR MANCA: You say in your statement you also heard them discussing team selection and who would be batting in which order and who would be bowling. Do you see that in your statement?

MR CASSIM: Correct.”

“COMMISSIONER: Forecasting how many runs the team is going to make that seems to me to be running very close to match-fixing, what would you think about that?

MR CASSIM: I have never been involved in betting so it was very difficult for me to think what was happening.

COMMISSIONER: What do you think now?

MR CASSIM: What I gather in all the information that’s floating around there could have been possibly something happening between the two of them.”

64. Adv. Batohi, Counsel, with Mr. Vincent Botto, leading the evidence, took up the subject. Cassim was asked what Cronjé and Sanjay were saying about forecasting and, having again asserted that he was not a “betting man” in order to explain his supposed ignorance of the full import of what was being discussed, replied that forecasting related to what scores the two teams were going to make and to “who would probably win”. Cassim told of Cronjé and Sanjay discussing possible scores at King’s Park, Durban – the side batting first would probably get 250 runs and for the side batting second “the ball will swing and you will get less”.

65. All this was in respect of the following day's match, an ODI between South Africa and Zimbabwe. It is necessary to quote at some length, Cronjé's evidence under questioning by Adv. Batohi:

MR CRONJÉ: Sanjay said to me that he is a person that likes to put money on cricket, he has a particular interest in that, and that he wanted me to give him some information that will be helpful for the one-day series and he also asked me if there was a possibility of maybe losing one match where he could make a lot of money.

MS BATOHI: Yes, carry on. What happened after that?

MR CRONJÉ: He handed me some money.

MS BATOHI: You told him that you were not prepared to do it unless you were assured of a place in the final, is that correct?

MR CRONJÉ: that is correct.

MS BATOHI: Why did you tell him that, is that what you really intended to do?

MR CRONJÉ: I think the reason for telling him that was that I tried to give him a fair chance on a game in case we had actually qualified for a place in the final, and then played an understrength side in the triangular, but I don't think that I ever would have gone through with that, I think I was spinning, not I think, I know I was spinning him along as I never even had any players on my side, and never had spoken to any players before, but I gave him the impression that I have.

MS BATOHI: You see, this is what I don't understand, Mr Cronjé, you don't have any intention of doing what he expects of you, but you are prepared to take the money?

MR CRONJÉ: That is correct, I thought I could take the money, give him a promise of something in the future and then give him information in the meantime, just feeding him snippets of information in the meantime.

MS BATOHI: But it is apparent from your first discussion with him, that that would not be enough, he wanted you to lose matches, isn't that correct?

MR CRONJÉ: Yes, he wanted me to be able to influence other players, to try and help him with losing a match, yes.

MS BATOHI: Did he tell you this at the first meeting, that he would expect you to influence other players?

MR CRONJÉ: Yes.

MS BATOHI: You said that this money was handed to you in a cell-phone box, containing US dollars in case you changed your mind, changed your mind about what?

MR CRONJÉ: In case he wanted me to lose a match.

MS BATOHI: So basically you know now that when you had taken that money, you couldn't change your mind, you had to go along with it?

MR CRONJÉ: I could always return it in case I didn't perform to my ability I suppose and if the opportunity never arrived I could have given the money back, yes.

MS BATOHI: Did that thought cross your mind at the time when you took the money?

MR CRONJÉ: I won't say that, no.

MS BATOHI: So effectively then when you took that money you realised that you were hooked at that stage already?

MR CRONJÉ: I didn't think at that stage I was hooked, no, it only became apparent later when I was trying to feed him snippets of information and it wasn't working, that he was becoming more and more insistent on trying to give him more and more information and to try and help him to predict the results more and more carefully.

MS BATOHI: Mr Cronjé, I don't understand that. Why didn't that occur to you at that very moment when you took those \$15,000

you knew then that money was given to you so that you don't change your mind, you must have realised then when you took the money that there was no turning back now, didn't you?

MR CRONJÉ: No, I honestly thought that if Mr Sanjay wasn't happy with what I did I could give the money back later.

MS BATOHI: But you just a minute ago said that that thought didn't cross your mind at that time?

MR CRONJÉ: As I say to you that I thought that I could feed him snippets of information and obviously he wanted me to, more than just information, he wanted me to influence other players as well.

MS BATOHI: I am not going to belabour this point, Mr Cronjé, but what I am putting to you is that when you took that money, at that point, the thought never occurred to you that you would give the money back? You must surely have realised, the money was given to you just to make sure that you don't change your mind, that you knew, that is in your statement. You must therefore have realised that when you accepted that money, you were effectively hooked, because the thought of returning it, never crossed your mind.

MR CRONJÉ: It became apparent to me later on that he was insistent on getting results from me, yes.

MS BATOHI: Why didn't you think at the time that that is what you were expected to do?

MR CRONJÉ: I thought that there was no sure way of, or he actually told me that there was no sure way when I just feed him with information, he needs to get a match where we have a certainty of losing.

MS BATOHI: Sorry, I don't understand that.

MR CRONJÉ: I am trying my best. Sanjay wanted me to give him snippets of, or give him information that would be helpful,

but he actually didn't want information that will just help him with predicting weather conditions and that, I think he wanted more than that, I think he wanted to be sure of what the result of the game was going to be. I gave him the impression that I was able to do that, at the meeting.

MS BATOHI: Well, it is not just a matter of what you thought, Mr Cronjé, because just a moment ago you said that what you knew at that stage was that he expected you to throw matches and to speak to other players to do that, isn't that correct?

MR CRONJÉ: Yes, he wanted me to speak to other players and I gave him the impression that I would, yes.

MS BATOHI: What did you do, well, at that stage when he gave you the money, your testimony has been that you had no idea how much was in there, I just find that a bit strange, maybe you can explain that to us. Was nothing at all said between the two of you at that stage, regarding how much was in that box?

MR CRONJÉ: I think the money, not "I think", I know the money that he gave me was a sort of deposit for maybe speaking to the players and helping to influence players and that there would be a further sum if in fact I was able to predict the result, not predict, to give him a result in the right way.

MS BATOHI: Did you think or did he say that to you?

MR CRONJÉ: He said that to me.

MS BATOHI: I see. So this was just a deposit and if you delivered, then there was going to be more?

MR CRONJÉ: That is correct."

66. It is clear that Sanjay wanted nothing less than a "fixed" match from Cronjé.

67. The meeting, of an estimated 10 minutes duration, ended with Sanjay giving Cronjé a sum of money amounting to \$10,000 – \$15,000; Cassim was still present; it is not without significance that both Cronjé and Sanjay were prepared to conduct the whole transaction in Cassim's presence. It is noted at this stage that Cronjé said that he received the money in a cell-phone box whereas Cassim recalled that Sanjay had handed Cronjé an envelope.
68. In answer to Mr Blumberg, Cassim's attorney, Cronjé said the following:
- “MR CRONJÉ: Sanjay originally wanted some information, which could be helpful for the matches in South Africa. He also passed on a specific interest in the match against Zimbabwe at Durban, which he wanted us to try and get a negative result in his favour in trying to get him to make some money, which I said to him is no go, unless we are assured of a place in the final I will not at all play ball. And then Sanjay just wanted information from me, and he said that, ‘Well, if you have a change of mind’, in other words, if South Africa does qualify for the final, will you have a change of mind, and I suggested to him that I will, yes. But the only time that it was mentioned that we would be interested in – or I would be interested in playing ball with Sanjay from the point of view of losing a match would be once we've qualified for the final. In that I meant that maybe some of the reserves could play, or it can happen that if you want a particular opponent in the final then you might want to try and get somebody into the final so that it's a lesser opponent for that matter. But I certainly never suggested to him that we would lose that particular game or a game in the future. I merely suggested to him that here may be that possibility.”

“The only time that I can help him with information that’s going to be from the point of view of win/lose situation would be once we’ve qualified for the final, and that situation never arrived in South Africa.”

69. From time to time, Cronjé protested that he was “spinning Sanjay along”, agreeing to do what Sanjay required of him, accepting the latter’s money, with no intention of complying fully with what Sanjay asked of him. Whatever mental reservations Cronjé may have had however, he certainly conveyed to Sanjay that in appropriate circumstances he would be prepared to throw a match.
70. The spinning even included, according to Cronjé, fabricating the story that certain of the players were angry because they had not been paid, as also that involving the participation of teammates whom he named as being willing to cooperate.

Term of Reference A2

71. Term of reference A2 covers the period 1 November 1999 to 17 April 2000. During this period South Africa played the fourth and last day of the test against Zimbabwe at Bloemfontein, the test against Zimbabwe at Harare, 5 tests against England in South Africa, the triangular one-day series against England and Zimbabwe, 2 tests and five one-dayers in India, the triangular series against India and Pakistan at Sharjah and 3 limited overs matches against Australia, being the South African leg of a 6 match series; the last of these matches took place on 16 April 2000.

72. Evidence was received under this term of reference concerning:
- (a) the 5th test against England at Centurion Park from 14 – 18 January 2000
 - (b) the tour to India in February/March 2000, particularly the 1st test at Mumbai on 24, 25 and 26 February 2000; the 2nd test at Bangalore on 2 – 6 March 2000 and the limited overs series, 5 matches from 9 – 19 March 2000

The 5th test against England at Centurion Park from 14 – 18 January 2000.

73. England won the toss and put South Africa in to bat; the start was delayed by rain and further curtailed for the same reason later that day; 45 overs were bowled and South Africa were 155-6 at close of play.
74. On days 2,3 and 4 there was no play at all due to inclement weather conditions. During the 4th day a meeting was held, attended by Bacher, Nasser Hussain (the England Captain), the match umpires and match referees and Hansie Cronjé. Discussions ensued as to whether it would be possible to utilise the 5th and final day, weather permitting. Apparently no decision was reached.
75. That evening Cronjé received a call on his mobile phone from one, Marlon Aronstam, who urged him to “make a game of it” by declaring the South African first innings closed early, to be followed by a formal declaration (at 0/0) by England and a forfeiture by South Africa of its second innings, leaving England in its second innings to top South Africa’s first innings score, thereby ensuring the probability of a positive result to the Test match.

76. On the morning of the last day this suggestion was discussed by the team and management of both sides; the England side was initially reluctant to agree to the plan but after some 45 minutes play, Cronjé received a message from his opposite number, Hussain that England was now interested in a competitive declaration.
77. There were “discussions” about a realistic target to be set and it was eventually agreed that South Africa would declare, which they did at 248-8 after 72 overs. The rest, as they say, is history – England scored 251-8 in 75.1 overs and won the “Test”. Cronjé’s first offer of a declaration which would leave England to get 270 runs in 73 overs was rejected by the England captain, so was his second, 255 runs in 73 overs; the third, 249 in 76 overs was accepted. Cronjé was obviously determined to see the plan carried out.
78. One must needs look behind the scores. The decision to contrive a result or at least to attempt to do so was not well received in the South African dressing room; some of the players were against the whole idea; others were dissatisfied with the target set, which they thought was too favourable to England. Cronjé said that there were some team members in favour of the plan, but they must have been in a minority. Jacques Kallis testified that “a lot of the guys were very upset”. Lance Klusener said that “most of the guys” (including himself) thought it wasn’t a good idea; Klusener said he himself was upset (in his statement he says “angry”) and “a little bit astounded”.
79. What the rest of the team and also the management did not know was that Cronjé had had dealings with Marlon Aronstam who, as has been said, planted the idea with him.

80. Aronstam is well versed in sports betting; he has been involved for some 18 years in the betting industry; largely horse racing until sports' betting was legalized. He was until the end of March 2000 a shareholder in National Sporting Index (NSI) a proprietary company listed on the Venture Capital Board of the Johannesburg Stock Exchange; he was a trader and advisor on betting both in respect of horseracing and also various sports. The incidents dealt with in this report as these involve Aronstam were participated in by him in his personal capacity and not as a representative of NSI.
- 81 Aronstam phoned Cronjé and put his suggestion. They arranged to meet in Cronjé's hotel room at 10:00 that evening.
82. Aronstam was quite explicit as to what motivated him in his approach to Cronjé with the suggestion that each side forfeit an innings, leaving England with a target on the last day; he wanted a positive result and he would back both sides at long odds to win and cover himself by backing a draw at short odds – say, even money; in the event of a win by either side he would achieve a 40 – 45% return on his total investment, an anticipated total of R300 000, 00 – R500 000, 00. Cronjé knew from the start that Aronstam was a gambler and that he wanted to bet on the game. Aronstam's proposal as to how to contrive a result and produce a fascinating day's cricket found favour with Cronjé.
83. In the course of the telephone call Aronstam had informed Cronjé that if the latter could arrange the game as he suggested, he, Aronstam, would give an amount of R200 000, 00 (Cronjé recalled it as R500 000, 00) to a charity of Cronjé's choice. The game was so arranged eventually but it was too late for Aronstam to place his bets. Aronstam made it clear to Cronjé that because of this the "charitable donation"

was no longer open. (“Charitable donation” needs at this stage to be put in inverted commas.)

84. According to Aronstam, Cronjé started discussing “the possibilities of making money in cricket” and mentioned that “the possibility exists in way of throwing a match”.
85. Aronstam averred that he was shocked. When he left the hotel he telephoned certain of his friends, telling them that Cronjé had said that he was prepared to throw a match. Aronstam had obviously taken Cronjé seriously. Cronjé’s parting shot as Aronstam was leaving the room was to ask how it was possible to make money out of cricket, to which Aronstam replied saying “the ball is in your court!” Cronjé does not deny this; in fact he testified that “it could have happened”.
86. Aronstam further said, and Cronjé did not deny, that at their first meeting the two discussed how to make money on a cricket game and Cronjé said that this required the cooperation of team members. Pitch reports, Aronstam says he told Cronjé, are worth money; this is what Aronstam testified that he wanted and what he was prepared to and indeed did in advance, pay R50 000, 00 for. He regarded pitch reports from Cronjé as more valuable than those of TV commentators. Compare this with Cronjé’s own assessment that “90% of the time they’re more accurate than the Captains, yes” referring to pitch reports by experts (i.e. ex internationals, now TV and radio commentators). According to Cronjé he also supplied Aronstam with weather reports and estimates of scores.
87. Cronjé did however tell Aronstam that the only way that money could be made on a cricket match was “if you in fact had players on your

side, and you could influence the result of a game that way, by negative performances from players.”

88. Thus, according to Aronstam, Cronjé received R50 000, 00 for future cooperation with Aronstam. As Cronjé said “... could have been for a future relationship with him. I don’t know, it could have been for the Centurion test match”.
89. In fact Cronjé admits that he gave Aronstam the impression that “once South Africa has qualified for a final, then I would be prepared to talk to him about anything”.
90. Furthermore Cronjé admitted that he told Aronstam that he was prepared to “throw” the game against India at Cochin (the first one-day international of the March 2000 series in India, to be played on 9 March), although he later told Aronstam, after the second test ended a few days before the Cochin ODI, that throwing the game was “off”.
91. Aronstam testified that at this time Cronjé “cooled off” in their relationship and suggested that this may have been due to the intervention of Sanjay (of which Aronstam was unaware at the time.) Cronjé denied the cooling off.
92. Aronstam gave Cronjé an additional R3 000, 00 (for a total of R53 000, 00, given in cash). Cronjé thought that this amount of R3000, 00 was for future information. Aronstam did not specify the purpose or objective of this largesse which is why Cronjé could only speculate thereon. If the R3000 was for information, the R50 000 could have been in respect of the Centurion match. Aronstam also gave Cronjé a leather jacket for his wife.

Cassim

93. It is a matter of conjecture whether Cassim played the minor role he described in his dealings with Sanjay on the one hand and Cronjé on the other.
94. Thus it was Cassim who set up the initial meeting in Durban. He in fact flew down from Johannesburg (and back the same day) by pre-arrangement at Sanjay's expense in order to introduce Sanjay to Cronjé. Why it was necessary to have done this, having regard to the fact that Cronjé was readily accessible to members of the public as he himself testified, one does not know. One would have expected that Cassim would first have telephoned Cronjé and asked him if he would meet Sanjay and if Cronjé had refused, Cassim would have come down to Durban, but it did not happen that way.
95. In fact Cassim agreed in evidence that he should have merely telephoned Cronjé in order to set up the meeting, particularly in view of the fact that his business and family commitments were such that he couldn't even stay for the match the next day.
96. Cassim was present during the discussion, which he had arranged. He testified that he took no part in it and occupied himself with watching a cricket match on TV. He did however admit to having heard parts of the conversation (the meeting lasted approximately 10 minutes) and to having seen Sanjay hand Cronjé a sealed envelope which he assumed contained not just money, but US dollars (he was right!). He professed to have been shocked by what he saw.
97. After Sanjay returned to London he and Cassim kept in telephonic contact. Thereafter when Sanjay was in India in March 2000,

particularly at the time of the first ODI at Cochin (or perhaps earlier), staying in the same hotel as the SA team, he telephoned Cassim in Johannesburg an estimated 20 – 30 times requiring him to make contact with Cronjé in order to set up a meeting of Sanjay and Cronjé.

98. At this time, in India, Cronjé was constantly being telephoned by Cassim, sometimes in the small hours of the morning; during this period Sanjay was himself in direct telephonic contact with Cronjé which makes one wonder why, if Cassim was merely an intermediary (as he would have it) it was necessary for him to telephone Cronjé as often as he did, if he needed to at all.
99. Cassim denied Cronjé's evidence that he, Cassim kept telephoning Cronjé and saying that he should speak to Sanjay who was now worse off than before (having been financially involved in the Cochin ODI), that he needed to make some money and that Cronjé would have to deliver something. Furthermore Cronjé testified that Sanjay **and** Cassim were becoming increasingly upset because Cronjé had not delivered and **they** had been losing more and more money. Cassim denied this too. Indeed on a number of occasions in his evidence Cronjé regarded Sanjay and Cassim as co-participants rather than Cassim as an intermediary or facilitator.
100. Cassim destroyed a pre-paid cellphone card which he used to make calls to Sanjay and receive calls from him on the day Cronjé's revelations were made public because he said, he became scared and was afraid that Sanjay was going to call him on that number; he did not however concede that he was trying to destroy evidence.
101. Cassim described himself and Cronjé as very close friends. Cronjé did not at all go that far. Cassim made innumerable telephone calls to

Cronjé in late January 2000 during the Triangular series between South Africa, England and Zimbabwe.

102. Thus he made on

26 Jan:	6 calls (one just before midnight)
27 Jan:	5 calls (one of 3,5 minutes)
29 Jan:	16 calls, the last of which at 23h46
30 Jan:	28 calls
31 Jan:	13 calls (the day Cronjé and Sanjay met?)
5 Feb:	12 calls (one at 00h35)

103. He sought to explain this away by saying that he telephones people “just to get through to them” and that if he can’t get through to a person he becomes very agitated and can telephone up to 10 times in 20 minutes.

104. According to Cassim, Cronjé phoned him after the “storm had broken” and told him not to say anything.

105. Cassim in the course of distancing himself from the Sanjay – Cronjé dealings, told the Commission that he did not bet or wager on cricket or any other activity and that he had only done so once in his life, as a young man, when he had bet on a horse. This hardly ties in with his comment to Cronjé after the Centurion test that he, Cassim could have made some money if he had known that the final day of the test would probably produce a win/lose result. Cassim said he was only joking; Cronjé apparently did not take it up that way; he responded by saying to Cassim “kom praat” (come and talk).

106. Cassim also showed up in Sharjah, Dubai, after the Indian tour, in March 2000. He contacted Cronjé indicating that Sanjay wanted to

resume contact with him, as Cronjé put it, "... along the same lines as in India." Cronjé continued "I had by now developed sufficient resolve to put it all behind me, and told him that I was not interested." One must assume that Sanjay did not realise that Cronjé had been spinning him along.

107. It would also appear that Cassim was more closely connected to Sanjay's betting activities than he, Cassim, is prepared to admit. Cronjé opined that Cassim knew that Sanjay was putting money on matches and that he knew that Cronjé was going to "try and assist" him.

The Tests in India

108. Pieter Strydom was first selected to play for South Africa in the summer of 1999/2000. He played in the Centurion Test referred to supra. On the morning of the 5th day of the Test, after the decision had been taken for South Africa to declare, Cronjé asked him to arrange to place a R50, 00 bet on South Africa winning. Strydom tried but was unable to place the bet. In his signed statement dated 9 June 2000, Strydom says that Cronjé approached him regarding a bet that the game would produce a result.
109. Strydom was also chosen to represent his country in the First Test against India at Mumbai. The day before the game Cronjé called him up to his room. Strydom estimated that the discussion took 5 to 10 minutes.
110. Cronjé, in a "very lighthearted manner" said to Strydom that he could get R70 000, 00 if South Africa went out for less than 250 runs. Strydom declined the offer but took it seriously enough to say that if

he had played 80 or 90 tests he would have “tried to think about it now”.

111. In other words Strydom was not prepared to risk his career at its inception. Cronjé did not pressurize Strydom but later that day Cronjé nudged Strydom as they walked past each other and again lightheartedly said “Hey, how about 140?” (i.e. R140 000, 00) which Strydom declined. In fact South Africa did go out for less than 250 and Strydom went to Cronjé after the game and said that they could have made a lot of money.
112. Cronjé approached certain of his teammates a few days later, shortly before the 2nd Test at Bangalore. Lance Klusener, Mark Boucher and Jacques Kallis were together in the room shared by the latter two. They were watching a video, having just consumed a quantity of pasta. Cronjé came into the room; they chatted and “in passing, jokingly” (according to Klusener) Cronjé told them there had been an offer and were they interested. Jacques Kallis also thought at the time that Cronjé was joking. Mark Boucher is to similar effect. It is apparent from their recollection that there were initially other members of the team in the room and that it was only when they had left that Cronjé mentioned, “in a joking way” that he had been approached and he enquired of the three whether they were keen to “throw a game for money”. The suggestion was rejected out of hand.
113. What is remarkable about these approaches by Cronjé to his teammates is that although Cronjé did not in fact, so he says, approach Gibbs or Bojé (he approached Strydom unsuccessfully), when he was asked by Sanjay to approach more players he did so; he spoke to Klusener, Kallis and Boucher. Cronjé was asked by Adv. Brendon Manca, Counsel for the UCB, why if his intention was only to

string Sanjay along, he bothered to speak to Klusener, Kallis and Boucher; he could have just mentioned their names to Sanjay; he would not have known if Cronjé had spoken to them or not.

114. Cronjé's response does not answer Adv. Manca's question. He said:
- “That is exactly my point as well, is that I had this man on me all the time, I had him nagging all the time, and I didn't want to involve the other players. And pushed by Sanjay, I mentioned it to the other players and I said to them that, “There's this man nagging at me, what do you guys think?’, and they just told me no straight away.”
115. There is a common thread to these events which is shared by others where Cronjé sought to involve his teammates in match-fixing or related matters and that is that the initial approach is made jocularly. It seems that this was Cronjé's *modus operandi*. He would sound out his colleagues, in a way which would enable him to say later, if the need arose, that he had only been joking. Herschelle Gibbs also testified that he was approached (in connection with the 5th ODI on 19 March 2000) by Cronjé with a “huge grin on his face”. In fact Cronjé said in evidence that he felt shamed by Strydom saying that he wanted to do his best for his country and **thereafter** “tried to pass off the whole incident as a joke”.

The ODIs in India (9 – 19 March 2000)

116. The tests in India were followed by a series of ODIs. The first of these was played at Cochin on 9 March 2000. Cronjé and Sanjay were in contact with each other; Cronjé told the latter that he thought he “could do something” in this match, “thinking that if we could get the

match out of the way that might satisfy “them” (a reference presumably to Sanjay and Cassim).

117. Cronjé had in mind “forecasting which way the match would go, looking at the pitch and conditions”. Sanjay, according to Cronjé, was adamant that this i.e. what Cronjé had suggested, could not be done alone – that must have been a reference to Cronjé’s offer to forecast the outcome of the match. Cronjé accordingly suggested that he would speak to some of the other players; Cronjé testified that he had no intention of doing this and did not do so.
118. Cronjé testified that in order to be able to contrive a result i.e. fix a match, it was necessary to have the co-operation of other players, perhaps 4 or 5 of them. That is undoubtedly so. One must not however lose sight of the fact that one such player must necessarily be the captain.
119. The captain has a strong hand in the selection of the team; he makes the decision whether to bat or field in the event that he wins the toss. He decides on such matters as when to declare, the batting order, the bowling structure i.e. who bowls, from what end, when and for how long; he determines the field placing (in consultation with the bowler and sometimes others) but the decision is his and he obviously controls and can manipulate his own batting and bowling. It is no exaggeration to say that the participation of the captain is indispensable; it is a *sine qua non*.
120. On the morning of the match Cronjé received a telephone call urging him to go ahead (with the plan). Cronjé told them (Sanjay and Cassim) that South Africa would lose. Cronjé testified that on the morning of the match the names he mentioned of players who would

be complicit in the match-fixing were in addition to himself, Gibbs, Bojé, Hayward and Williams and further said that the score would be kept under 250 and that they would try and lose the game.

121. In the result South Africa scored just over 300 runs and Sanjay was upset that this had happened. Cronjé said to Sanjay that he must keep his side of the bargain and “we” will keep “our” side of the bargain.
122. The 2nd ODI was played at Jamshedpur on 12 March 2000. Sanjay again telephoned Cronjé wanting more than just information, i.e. wanting an actual influencing of the result. Cronjé made (he said “fabricated”) the excuse that he could not get the cooperation of his teammates because they had not been paid i.e. for previous cooperation. Sanjay’s response was to tell Cronjé not to worry “we’ve got an undertaking” and to remind him that he had a deposit (i.e. the money received in Durban) and to say that he was going to transfer funds to Cronjé’s bank account in London. Cronjé testified that he had not to date taken the trouble to ascertain if the funds had indeed been transferred as Sanjay had undertaken.
123. Cronjé explained that he was simply playing Sanjay along, that he had no intention of cooperating and did not do so and that he never approached any of his teammates in this connection.
124. Cronjé further testified that for this match and the 3rd and 4th ODI’s which followed he was really only forecasting what “I thought would happen as I wanted to win the series”. Cronjé said that he received no money for this and that he gave of his best throughout.

125. The 5th and final ODI of the series was played at Nagpur on 19 March 2000. At that stage India were 3 – 1 up – South Africa had lost the series. Sanjay again approached Cronjé who “gave in” and agreed to speak to some of the players. This was the night before the match. Cronjé also said that if India bat first, “we will try to give them more than 250 runs” and if South Africa was to bat first “we will try to keep it under 240, but if we do get 270, then the deal is still on”.
126. The two conversed on the morning of the game. Cronjé required \$140,000 for “everybody”; this included \$25,000 for each of Gibbs and Williams who had agreed to go along with the scheme. The next morning Cronjé approached these two players and offered each of them \$15,000 for his cooperation. Cronjé, who had already agreed with Sanjay that each would be paid the larger amount, said to them that he would see what he could get for them and try and “bump up” i.e. increase their remuneration. Cronjé conceded that “maybe” he was “trying to cut something” for himself in misleading his teammates in this way. Cronjé also explained that although the amount had been spoken about, he didn’t know (i.e. wasn’t sure) that an agreement had been reached.
127. Cronjé had approached Gibbs and Williams and secured their participation; Gibbs was to go out for less than 20 runs and Williams was to concede in excess of 50 runs in his permitted 10 overs.
128. In the result Gibbs found the wicket to his liking, hit fours off the first 2 balls he faced and went on to make 74 off 53 balls before being run out. In his own words he “batted like a steam train”. On the 5th ball of his second over, (his tally was 1 for 11 – the wicket of Ganguly) Williams injured himself and was unable to bowl any further. South

Africa made 320/7 and beat India by 10 runs. Obviously the deal was off.

129. Cronjé testified:

MR CRONJÉ: Sanjay was staying in the same hotel as what we were staying in Cochin and as I said in my affidavit, I was trying to avoid any telephonic conversation with him the night before, but the morning of the match, I was reminded that he would like to speak to me. I went downstairs to breakfast, had breakfast, wanted to stay away from him, but on the way out, I picked up the telephone at reception, phoned his room and said “yes, it is okay, we can go ahead”. I rammed off five or six names, I think it was five names and said that we will keep the score under about 250 and that we will try and lose the game. That is what I said to Sanjay.

COMMISSIONER: That is before the game. Was there any further discussion with him about Cochin, the game, either during the game or after the game?

MR CRONJÉ: The night that I got back to the hotel, Sanjay called me and was obviously not very happy with me because South Africa scored 301/3 instead of less than 250. The reason why we scored more is because I didn't in fact speak to any of the players and none of the players were aware that there is anything on the cards.

COMMISSIONER: You say Sanjay was not happy because you hadn't fulfilled your undertaking to him? Was there any discussion of any of the players being dissatisfied, was there any monetary sums that would – allegedly owing, can you tell me?

MR CRONJÉ: The night after I got back to the hotel, I just said to Sanjay that he must keep his side of the bargain, then we will keep our side of the bargain.

But we didn't really specifically go into detail, he was just very cross with me that we didn't score less than 250 as I led him to believe that we would do. During the following game at Jamshapur (sic), he phoned me again and not only wanting to get information, but wanting to actually influence the result and the excuse that I used in this instance was that I won't be able to get to any of the players, because they are upset with me because they have not been financially paid, using that as an excuse to keep him away from me.

COMMISSIONER: You say you told him that the players were cross with you because they hadn't been financially paid, were numbers mentioned, any amount, any figures?

MR CRONJÉ: I am not hundred percent sure what the figures were that were discussed, I am actually not even sure whether numbers were discussed before the Cochin game, as it was done in such a rush.

COMMISSIONER: When you mentioned this to Sanjay, did he undertake to make amends, to make any money available?

MR CRONJÉ: Sanjay said to me "not to worry, we've got an undertaking, he has given me a deposit as well" and he is also going to transfer some funds to my account in London, "not to worry", he said "not to worry, we will sort out the others as well".

130. Cronjé also said in answer to Adv. Manca that he thought that the amount that Sanjay and he discussed was "around \$100,000 if we were to lose a match. He gave this money (i.e. \$10,000) to me as a deposit in order to, if I have a change of mind, speak to some of the other players. Use it to influence players."

131. Cronjé said he thought the \$10,000 was a deposit because he knew there was going to be a future opportunity.
132. In summary, the evidence discloses that Cronjé had spoken to Sanjay concerning the match against Zimbabwe at Durban (on 2 January 2000); Sanjay wanted a negative result in his favour in order to make some money – Cronjé said he would not cooperate unless SA was assured of a place in the final. Cronjé suggested to Sanjay that in that event there may be a possibility of SA deliberately losing that game or a game in the future.
133. The Cochin game; Sanjay wanted SA to lose. Cronjé said he'd go along with that; he would speak to other players; he phoned Sanjay on the morning of the game and said that there were certain players involved; in fact, Cronjé said in evidence that was not true. Throwing the game was definitely spoken about between Cronjé and Sanjay; Cronjé definitely gave Sanjay that impression, he definitely suggested to Sanjay that “**we** will do that” (emphasis supplied) but he said in evidence that he was merely spinning Sanjay along to try and satisfy him. Cronjé testified that he thought that if after one game he could get Sanjay off his back he could get rid of him.
134. Cronjé also said that the reason for telling Sanjay that he was prepared to “throw” a game if South Africa was assured of a place in the final was that he tried to give Sanjay “a fair chance on a game”. It was apparent to Cronjé from his first meeting with Sanjay that merely supplying him with information would not be sufficient for Sanjay who wanted Cronjé to lose matches and to get other players to assist him in this. It was on this basis that Cronjé took Sanjay's money. In fact Sanjay said he needed a match where there was a certainty of South

Africa losing; Sanjay told Cronjé there would be a further sum of money coming to Cronjé if he could give Sanjay the “right” result; in other words the initial sum was a deposit and if Cronjé “delivered” there would be more.

135. These facts are reiterated with the thought that they are not readily reconcilable with the notion of Cronjé spinning Sanjay along.

Term of reference A3 (and the prelude thereto)

136. This term of reference is to a particular incident, which concerns a proposal made to the South African cricket team during its tour to India in 1996 that it “throw” i.e. deliberately lose a match.
137. Sunil had befriended Cronjé and some other members of the team in Sharjah in 1996. Later that same year during the tour to India, Sunil approached Cronjé and asked him if he was interested in match fixing. According to Cronjé he said he was not; no offers or financial proposals were received from Sunil. Cronjé was not prepared to describe Sunil’s intervention as an “approach” but rather as a casual conversation; Sunil had said that if at any time in the future or on the current tour Cronjé had “any desire to make some money”, he was to contact him.
138. Sunil also contacted Cronjé during the 2000 tour to India; they spoke several times, Sunil using the mobile-phone number given to Cronjé by Sanjay. Cronjé had maintained his association with Sunil, only speaking with him, however, when Cronjé was in India. Although at their first meeting in 1996 Sunil had asked Cronjé if he was interested in match fixing, the subsequent conversations were not concerned with this topic. Sunil, the aspirant match fixer, also turned up in Sharjah, asking Cronjé for information and “news on the team”;

Cronjé gave him nothing out of the ordinary and did not receive payment or the offer thereof.

139. Both in 1996 and again in 2000 Sunil took Cronjé out to dinner and broached the subject of match fixing after a few drinks.
140. Cronjé admitted that at Sharjah he did give Sunil “the odd bit of information and news on the team ... nothing out of the ordinary”; he said that this information “would have been handy to him if he wanted to make a bet on a game” but that he had received no money in return.

Mukesh Gupta

141. On the evening of the third day of the third test of the South African tour to India, 10 December 1996, Cronjé was introduced to one, MUKESH GUPTA or “MK” who after some initial conversation asked Cronjé to speak to his players to obtain their cooperation in throwing their wickets away so as to ensure that South Africa lost. Cronjé agreed to do so and received \$30,000 in cash for his pains.
142. At that stage India had made 237 runs in the first innings to which South Africa had replied with 177, a first innings lead for India of 60 runs; batting again, India was 270/5, for a lead overall of 350 at the end of the third day with Asharrudin at 88 not out. In the result India declared their second innings closed at 400/7, a lead of 460 and put South Africa away for 180, for a victory by 280 runs.
143. Cronjé said that he took the \$30 000, 00 but did nothing more; he didn't contact any of his teammates; he described MK's gesture as “a very stupid set” which was apparently given “for security” in respect of

a result that was in any case a foregone conclusion. By “security” I understand Cronjé to be saying that MK wanted the assurance of an Indian victory.

144. It was put to Cronjé that within the space of a month MK had invested either \$80,000 or \$110,000, not for match fixing but for information. On a later occasion, probably during the Quadrangular series in Pakistan, MK again contacted Cronjé requesting information. Cronjé refused; he said that he had by that time built up sufficient resolve to enable him to resist MK and did so because he felt bad because he knew it was wrong to take money for information.

145. What Cronjé in fact received from MK are:

\$30, 000 on or about 10 December 1996 (referred to above)

\$50,000 on or about 10 January 1997 during the India tour to South Africa, apparently in respect of team selections, daily information and, in respect of the 2nd Test at Newlands during the period 2 – 6 January 1997, the score at which South Africa would declare.

\$30,000 on or about 15 January 1997, presumed to be from MK also for the same purpose as the payment referred in the immediately preceding paragraph.

146. Additionally it was MK who offered Cronjé the substantial sum on 14 December 1996 to throw the final ODI in Mumbai, an offer which was put to the squad by Cronjé and rejected by a depleted and dispirited team who were comfortably beaten by India.

147. Cronjé thought that MK was “more than happy” with what he had received in return for the money he had given Cronjé. When he again approached Cronjé during the quadrangular series in November 1997 he was unsuccessful. MK was “not too upset” at this rebuff and never contacted Cronjé again.

Certain further events occurred during the period covered by A2.

148. It had been arranged that on 14 December 1996, two days after the last test at Kanpur, South Africa and India would play a one-day limited overs match for the benefit of the former India player Mohinder Amarnath. The South Africans on the eve of their departure for home after a long and arduous tour of the sub-continent, were greatly displeased to hear that the game had been converted into an official one-day international. For various reasons the team, depleted by illness, was far from enthusiastic about the match.
149. The match was to be played at Mumbai. At a point in time prior to 14 December 1996, MK had approached Cronjé. In fact on the flight from Kanpur to Mumbai, Cronjé came to speak with Derek Crookes, his teammate, mentioning that a money offer had been made to the team to throw the last game; other players were also approached by Cronjé on this flight and on the bus on the way to the hotel; Cronjé told them that he had received an offer dependent on the team playing badly in the ODI.
150. Crookes asked his captain whether he was joking or serious. In response to Crookes’ enquiry Cronjé told him to think about it and that there would be a (team) meeting later. This would surely have conveyed that Cronjé was serious, as indeed he was.

151. According to Dave Richardson, a senior player, Cronjé called a meeting of senior players, namely, McMillan, Hudson, Kirsten (vice captain) and himself (Richardson). Cronjé put the proposal. Richardson could not recall the details thereof or the amount of money offered. It was decided that Cronjé would call a meeting of the whole team. Thus Cronjé's senior colleagues also took the proposal seriously.
152. Pat Symcox, a team member, also recalled the incident. He put the offer conveyed by Cronjé at US\$250 000, 00. At the team meeting, certain players spoke out against the offer, notably Hudson, Crookes and Cullinan. The whole squad was present at the meeting (excluding Donald and Rhodes who had left for home).
153. The offer was seriously made and seriously considered. Cronjé's attitude was that the offer had to be accepted by everyone, otherwise it was "no go". After the objectors had spoken, the meeting rejected the proposal. Other players testified to the meeting, which is in fact common cause.
154. After the team meeting which had lasted an estimated 20 minutes, a few of the players remained behind (in Cronjé's room where the meeting had been held) and were present when Cronjé telephoned MK and sought an increase in the offer; he succeeded: MK was prepared to raise the offer by \$100,000; "well there's another 100" Cronjé informed his colleagues, (it is not entirely clear whether the initial offer was \$200,000 or \$250,000 and also whether the tendered increase was \$100,000 or \$50,000). Whatever it was, the offer was not taken up.

155. **Certain further events require mention:**

India in South Africa 1996 – 1997

156. The Indians were in South Africa during December 1996 to January 1997. MK was also here. Three (3) tests were played; no international ODIs were played. MK and Cronjé were in contact; for the 1st Test Cronjé supplied team selections and daily forecasts; for the 2nd Test Cronjé gave MK a declaration score – South Africa declared both innings closed. Cronjé testified that a declaration forecast was definite and it was something that one could bet on. MK offered Cronjé \$300,000 to lose the 3rd Test; Cronjé refused.
157. After the 2nd Test MK transferred \$50,000 into Cronjé's building society account in Bloemfontein; Cronjé understood from MK's requests regarding the 1st and 2nd Tests that MK would pay him and unspecified amount if he won money on these matches.

Sharjah

158. From 22 – 31 March 2000 South Africa, India and Pakistan engaged in a series for the Coca-Cola Cup in Sharjah, Dubai.
159. Cassim once again contacted Cronjé; he indicated that Sanjay wanted to resume contact, but Cronjé says that he resisted him and that no contact was made.
160. Cronjé was also approached by Sunil. They had met during the 1996 tour of India when Sunil had asked Cronjé if he was interested in fixing matches and Cronjé had replied that he was not. Cronjé did, however, give Sunil "the odd bit of information and news on the team

... nothing out of the ordinary”. No payment was offered and none was received, according to Cronjé. Sunil also apparently befriended Gibbs.

161. Cronjé maintained his friendship with Sunil who on the occasion of their meeting for the first time had propositioned Cronjé in this way but not again in India.
162. Cronjé said that the information which he gave to Sunil at Sharjah “would have been handy for him if he wanted to make a bet on a game”, but received no money in return.
163. The night before the final of the Sharjah Cup, Cronjé was telephoned by a man who did not give his name, wanting to speak to him about a “promotion” of some of his products. He also informed Cronjé that he would pay \$100,000 down and \$100,000 after the match in return for playing badly. Cronjé declined. He never mentioned the incident to Klusener.

The Mandela Trophy

164. This was played for between South Africa and Pakistan in January 1995, in Cape Town and Johannesburg.
165. In his evidence in chief Cronjé told of an approach made to him shortly before the first of 2 ODIs, played in Cape Town by “an Indian or Pakistani man who described himself only as “John”.
166. The contacting of Cronjé by John had been made on the internal hotel telephone. John introduced himself as a journalist. Cronjé went to John’s room. John told him he was not a journalist but a match fixer.

This was the first time Cronjé had been approached to fix a game. Cronjé told John he wanted to think about it and sought out a senior player.

167. Cronjé, who admitted to being tempted by the money offer, telephoned Symcox. Cronjé agreed that he brought John under the impression that he was seriously considering his offer, as indeed was the case.
168. Cronjé recognised that if Symcox had been supportive they probably would have gone through with the idea. Symcox testified that Cronjé called him to come to his room for a chat. They talked about the coming game and then Cronjé told Symcox of the offer he'd received on behalf of the team.
169. Symcox thought it was a bad idea and that South Africa could beat Pakistan anyway (they did). An additional reason which, according to Cronjé, Symcox gave was that "it wasn't a big enough figure anyway"; presumably therefor the extent of the offer was discussed. Cronjé telephoned John and told him that he was not interested.
170. South Africa won the first match. Cronjé recalled that when he walked onto the field the Pakistan captain, Salim Malik asked him whether he had spoken to John. It was evident to Cronjé that Malik knew about John's approach to him. Cronjé said that he felt ashamed and embarrassed and wishing to avoid talking about the matter, merely nodded in response to Malik's enquiry.
171. That notwithstanding John approached Cronjé before the 2nd match in Johannesburg with a similar request, which Cronjé says he turned down.

172. In the course of his examination by his Counsel, Malcolm Wallis S.C., Cronjé assured the Commission that he had made a full disclosure of his participation and the participation of others of which he was aware in the activities with which the Commission is concerned. The relevant passage in the record reads as follows:

MR WALLIS: Now Mr Cronjé, you've dealt in your statement and in your further evidence today with various incidents over a period from 1995 until the early part of this year, involving broadly questions of betting, payments for information, payments to effect the results of matches, match fixing and the like. Are there any incidents during that period in which you have been involved, any incidents of that broad and general nature which are not dealt with in this statement and in the further evidence you've given?

MR CRONJÉ: Wherever I've been involved and whatever knowledge I have is in this affidavit.

MR WALLIS: Are you aware of any other incidents involving other South African players or officials of this nature, but in which you were not involved during that period?

MR CRONJÉ: Not that I'm aware of, no.

COMMISSIONER: May I just, Mr Wallis, intervene just as a point of elucidation? You answered counsel, Mr Cronjé, by saying that you have no other knowledge other than that which is in your affidavit as it's now been supplemented in evidence. Were you speaking of the period that Mr Wallis mentioned, 1995 through to earlier this year or is that an altogether, whenever?

MR CRONJÉ: Whenever (intervention)

COMMISSIONER: There's nothing more, you've told me all that there is that you are aware of ... (intervention)

MR CRONJÉ: Yes, that's correct.

COMMISSIONER: ... involving match fixing and related matters in which you were involved in one way or another?

MR CRONJÉ: That's correct.

COMMISSIONER: Thank you.

MR WALLIS: So that covers the whole of your cricketing life and experience?

MR CRONJÉ: That's correct.

MR WALLIS: Okay. And just for the sake of completeness because there is a concern about that, you've talked about your own involvement, you've talked about matters of which you have knowledge, is there any even rumour or something that you know of which might have a bearing on those types of matches or matters which you haven't dealt with? And I'm not asking you to give evidence of rumour, but is there anything of that sort, or that might fall within the purview not just of what this Commission is specifically considering, but that general area over the period you have been involved in as a professional cricketer?

MR CRONJÉ: I think it's true that whenever we tour the sub-continent we do get the odd occasion, like a person like Sunil who will come up to you and pass that remark, and I have joked about it in the team and spoken about it in the team, and I think it's come up at various times that we've spoken about it. But I cannot say with any definite sort of intentions that I know of anybody else that is involved, or anything that I know that will fall into the Terms of Reference of the Commission, or anything for that matter.

COMMISSIONER: Anything outside the Terms of Reference?

MR CRONJÉ: Yes, that's correct. It would be very wrong for me to say anything like that, because I don't have any proof or any

hearsay is really just dressing-room talk, and it's not something that – I think it's very, very dangerous to elaborate on.”

173. The evidence does not disclose that anything untoward happened from about January 1997 to January 2000. During that period, *inter alia*, Australia were in South Africa (13 February – 13 April 1997), playing 3 tests and 7 ODIs; South Africa were in Pakistan (1 October – 8 November 1997), playing 3 tests and a quadrangular ODI series between Sri Lanka, West Indies, Pakistan and South Africa; South Africa were in Australia (25 November 1997 – 3 February 1998), playing 3 tests and a triangular ODI series between Australia, New Zealand and South Africa; Pakistan were in South Africa (29 January – 10 March 1998) playing 3 tests, Sri Lanka were in South Africa (7 March – 23 April 1998) playing 2 tests and Pakistan, Sri Lanka and South Africa played an ODI series. South Africa were in England (14 May – 2 August 1998) playing 5 tests and 3 ODIs against England and playing an ODI series against England and Sri Lanka; the ICC knockout tournament in Bangladesh (24 October 1998 – 1 November 1998); the West Indies were in South Africa (11 November 1998 – 7 February 1999) playing 5 tests and 7 ODIs; South Africa were in New Zealand from 13 February – 30 March 1999, playing 3 tests and 7 ODIs; lastly South Africa participated in the World Cup in England in 1999.
174. For all these matches Cronjé captained the South African side.
175. It is interesting that the first time Cronjé was approached to fix a match, he was prepared to and did entertain the suggestion.

Mr Charles Robert van Staden

176. Mr Charles Robert van Staden, a deputy general manager in the Exchange Control Department of the South African Reserve Bank, confirmed the contents of a prepared statement, which was handed in and read into the record by him.
177. The amounts referred to as being handed in were US dollar notes; they were deposited by Cronjé's attorneys' office at a bank in Bloemfontein, converted into Rands and credited to the Trust Account of the Reserve Bank's attorneys in Pretoria.
178. Mr van Staden requested an explanation from Mr Cronjé in respect of the above-mentioned amounts as well as any foreign bank accounts.
179. Subsequently Cronjé's attorney informed van Staden of an account in his client's name in England, which was opened with Exchange Control authority given in 1995. This account forms part of the information requested by van Staden.
180. Van Staden confirmed that Cronjé's attorney has undertaken to furnish to the Reserve Bank an explanation regarding the deposits upon completion of the Commission. Although he had not received a formal explanation at the time of testifying, he had been advised by Cronjé's attorney of the existence of two foreign bank accounts, but had received no further details.
181. Van Staden confirmed that an undertaking had been given that upon completion of the Commission "the Reserve Bank would be furnished with an explanation regarding the deposits."

182. In his statement, which was read into the record, van Staden referred to 2 amounts, R63 482. 61 and R239 200. 15, transferred by Cronjé's attorneys to the trust account of the Reserve Bank's attorneys on 13 and 14 April 2000 respectively.
183. These amounts, according to van Staden, represented the nett Rand equivalent of \$10,000 and \$37,630 respectively.
184. It was confirmed in Cronjé's evidence that the \$10,000 represented the money given to him by Sanjay (or part thereof) and the \$37,630 comprised an advance of \$25,000 received by Cronjé from the promotor of a proposed unofficial benefit series of 5 matches between a South African XI and an Indian XI in India during the latter part of April – beginning of May 2000. The South African participation in the series was to be organised by Cronjé. The balance of \$12,000 odd represented an accumulation over a period of time of prize monies, subsistence allowances and the like.
185. Van Staden was further advised by Cronjé's attorney that in terms of Exchange Control regulations R200 000, 00 had been transferred abroad as a foreign investment allowance and was held in a foreign bank account in London.
186. **At this stage the particular questions posed in the Terms of Reference may be answered as follows:**
- A1 the receipt by Cronjé of payment of approximately \$10,000 from a bookmaker.
- 1.1 the identity of the person from whom such payment was received – Sanjay (or Sanjeev) Chawla (or Chowla) from whom Cronjé received an amount of between \$10,000 –

\$15,000 on 1 February 2000 at the Beverly Hills Hotel, Umhlanga Rocks, KwaZulu-Natal.

Sanjay (as he is referred to in this report) is an Indian national, resident in the United Kingdom and is either a bookmaker engaged in betting on cricket matches or a gambler thereon, or possibly both.

- 1.2 the intended purpose of the payment was to secure Cronjé's assistance and participation in "fixing" i.e. influencing the result of, or the performance of individual players in, matches played by the South African national team, and/or providing information bearing on the possible outcome of matches i.e. Test matches and limited overs matches known as One-Day Internationals (ODIs).
- 1.3 the persons who were aware of the payment – in addition to Cronjé and Sanjay, one Hamid Cassim who brought them together and whose role in the transactions between them may not at this stage have been fully determined.
- 1.4 any decisions, actions or omissions by Cronjé or anybody else as a result of such payment:-
 - (a) the evidence at this stage does not indicate that Cronjé made any decision or took any action or omitted to do anything pursuant to the payment, in respect of the triangular series between South Africa, England and Zimbabwe which took place during the period 21 January – 13 February 2000 in South Africa.

- (b) There was further contact between Cronjé, Sanjay and Cassim subsequent to the aforesaid payment insofar as there may have been a payment, so to speak, in advance for anticipated co-operation. What flowed from this will be dealt with under Term of Reference A2 which reads:

A2 Whether during the period 1 November 1999 – 17 April 2000, and excluding the matters referred to in paragraph 1, any member of the South African cricket team or team official received or was promised payment of any amount of money or other benefit (excluding salary, emoluments, sponsorship and other payments or benefits lawfully connected therewith) in relation to his functions as a member of the South African cricket team or as a team official and, if so,

2.1 from whom such payment was received or promised;

2.2 the intended purpose of such payment or promise;

2.3 the persons who were aware of such payment or promise;

2.3.1 whether any decision, action or omission by the recipient or anyone else in consequence of such payment or promise occurred; and any other matters related or incidental to the receipt of such payment or promise.

During this period:

(a)

- 2.1 Cronjé received from Marlon Aronstam, a bookmaker and/or gambler, a total of R53 000, 00 (and a lady's leather jacket);
- 2.2 There is a conflict between Cronjé and Aronstam as to the intended purpose of such payment – Aronstam maintained that the R50 000, 00 (made up of 2 instalments of R30 000, 00 and R20 000, 00) paid a day or two after the conclusion of the Centurion Test, was in respect of future information, particularly pitch reports, whereas Cronjé thought it may have been the gift promised to him by Aronstam in the event that he succeeded in increasing the prospects of a positive result to the match.

Aronstam and Cronjé are agreed that R3000, 00 was in respect of information to be provided by Cronjé to Aronstam in respect of the forthcoming one-day triangular series. The leather jacket was a gift to Mrs Cronjé.

- 2.3 The persons aware of this payment were Messrs. Cronjé and Aronstam and as to Cronjé's willingness to participate in match fixing, certain unnamed friends of Aronstam.
- 2.4 whether any decision, action or omission by the recipient or anyone else in consequence of such payment or promise occurred – what occurred was that Cronjé

engineered a formula whereby what would otherwise have produced an inevitable draw in the Centurion Test was transformed into a match which would in all probability (and did) produce a positive result – a win for England.

Thus the decision was taken and the action pursuant thereto was influenced by the promise (and receipt) of a reward. Such other motive as there might have been is in this context secondary.

2.5 any other matters related or incidental to the receipt of such payment or promise – Cronjé apparently provided Aronstam with pitch reports during the ensuing one-day series.

(b) During the tour of India from 19 February – 19 March 2000, Cronjé approached various of his team mates in regard to match fixing; thus, shortly stated,

2.(b).(i) Cronjé approached his team mate, Pieter Strydom, with an offer of payment for his co-operation in influencing the result of the First Test against India at Mumbai.

2.(b).(ii) Cronjé approached certain of his team mates shortly before the Second Test against India at Bangalore, namely, Klusener, Boucher and Kallis. He told them that he had received an offer, (of money in return for match fixing) and enquired whether they were interested. They replied that they were not.

- 2.(b).(iii) Cronjé and Sanjay were in contact prior to the first ODI at Cochin; and again prior to the second ODI at Jamshedpur and also in respect of the 3rd and 4th ODI's.
- 2.(b).(iv) For the 5th ODI at Nagpur, Cronjé received the promise of co-operation from his team mates Gibbs and Williams, in return for payment, which in the result did not materialise.

Term of reference A3

187. This concerns a specific incident which occurred during the South African tour to India, prior to the final match of the tour, a one-day game to be played at Mumbai; a proposal was made that South Africa should contrive to lose the game.

- 3.1 By whom the proposal was made – by one, Mukesh Gupta (“MK”) an Indian national and a bookmaker and/or gambler, at the end of the Third Test at Kanpur, i.e. 12 December 1996.
- 3.2 To whom the proposal was made – to Hansie Cronjé, the South Africa captain.
- 3.3 The terms of the proposal – a payment of either \$200,000 or \$250,000 in return for “throwing” i.e. deliberately losing the last game of the tour, an ODI at Mumbai on 14 December 1996. The offer was later raised by, probably \$50,000 but possibly \$100,000.
- 3.4 The initial proposal was put to the players at a team meeting. (i.e. all those on tour excluding Donald and Rhodes who had left for home.)

It allegedly came to the knowledge of Bob Woolmer the team coach, shortly afterwards. It is not at this stage clear whether or when it also came to the knowledge of the team management or the United Cricket Board.

- 3.5 any decisions, actions or omissions by any persons as a result of such proposal – the proposal was discussed at the team meeting and rejected.

At an informal gathering of senior players after the meeting, Cronjé contacted MK telephonically and obtained an increased offer. The evidence is to the effect that the offer was not taken up.

- 3.6 Any other matters related to or incidental to such proposal – Cronjé had received \$30,000 from Gupta at the end of the third day of the third test at Kanpur, i.e. 10 December 1996, in return for “throwing” the match. At the time India were in a very strong position, eventually winning by 250 runs; there is no evidence that the match was “fixed”.

188. Certain matters extrinsic to Terms of Reference A1, A2 and A3 are dealt with in the body of this report.

189. It must be emphasised that this is an interim report; it chronicles the activities of the Commission to date; it is provisional in nature, both in form and in substance.

190. The inquiry has been confined, as the Terms of Reference require, to matters covered by terms A1, A2 and A3, with certain other relevant matters also dealt with.
191. Term A4 still requires consideration; matters in respect of which evidence has been placed before the Commission and matters falling within terms A1, A2 and A3 which have not been considered will also be dealt with; this is specifically authorised by Term D.
192. One of the Commission's duties is to make recommendations concerning the various matters falling within its mandate. An important aspect of this is to suggest and recommend measures to be taken to ensure that appropriate steps are taken and safeguards introduced so as to ensure, as far as is humanly possible, that cricket match fixing and related activities are eliminated and banished from the game of cricket.
193. In response to an invitation from the Commissioner a substantial number of cricket lovers and enthusiasts have favoured the Commission with their recommendations and suggestions; these will be invaluable to the Commissioner in compiling what will be a most important aspect of the final report. It may in fact be feasible to release a further interim report dealing with this particular issue, prior to the resumption of the Commission's sitting on 2 October 2000.
194. It will be appreciated that until all the evidence has been heard, no aspect of the Inquiry can be, or can be regarded as finalised.