

The Past and Present of a Phenomenon that Exists to the Same Extent as Emptying an Ocean with a Glass: Fraud and Corruption

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Abstract

Summary: Fraud is a disease that begins with an almost harmless act, but under an umbrella of deception. Generally, it is preceded by the decision of the author of the same that in the face of certain circumstances, fruit of the evaluation he makes of some aspects that contextualize a situation. It is like a kind of equation where the variables that compose it can be the pressure caused by the deprivation of liquidity, vices such as gambling or the consumption of alcohol, etc. The objective of this study is to define what fraud is and how it materializes. This research intends to investigate very concrete cases because it intends to investigate how fraud is committed in the age of athletes, the fraud committed during the Olympic Games and to report one of the most recent scandals, the Fyre Fest. The methodology used was the bibliographic review of articles published in scientific journals, mostly taken from the B-on and SportDiscus databases. It was concluded that fraud in the age of athletes is often done with the frivolity and consent of the parents of athletes. The punishment is not sufficiently severe, which perpetuates this type of crime, which often occurs in underdeveloped countries. Fraud in the Olympic Games uses very specific tricks such as the use of technological means, doping and winning at any cost, in other words, exceeding the moral values of sport. Finally, the Fyre Fest was the most scandalous festival created with the intention of being a colossus, but it was a disappointment for the participants in view of the publicity created around the event. With everything going wrong for festival-goers, some of them filed lawsuits that culminated in the organizers' conviction.

Keywords: Fraud, corruption, age of athletes, Olympic scandals, fyre fest.

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INTRODUCTION

In today's society it is increasingly common to use the word fraud. The negative connotation of fraud is constantly used by ordinary mortals to describe any action taken by someone, in which a dubious activity is involved, from a legal point of view, and with some advantage, commonly patrimonial, associated. According to the dictionary of the Portuguese language, this word can mean several things, among which physical decomposition of something, modification of the original characteristics of something, adulteration, moral perversion or use of illicit means to obtain something. Here, we already have the idea conceived that corruption is a deliberate alteration of the natural course of something, through an action that creates an abnormal path to a certain end [1].

Sousa and Triães [2] developed a study called: Corruption and the Portuguese - Attitudes, practices, values, which is an analysis of the phenomenon of corruption in the perception of the Portuguese. This study allows us to conclude that the Portuguese have a minimalist and quite permissive conception of corruption, and that the Portuguese tend to focus their vision on corruption closer to the legal definition than to ethics, tolerating numerous occurrences suggestive or conducive to corruption. Luís de Sousa goes further, admitting that Portugal's problem is somewhat structural, where civic culture focuses more on individual success than on the public good, manifesting itself in the Portuguese reality, which appears to be more permeable to a type of parochial corruption - the wedge [3]. In this study it is also possible to highlight the importance that the Portuguese give to the fight against corruption as a priority theme for the country [3].

As examples of fraudulent practices, we will present several cases that occur not only in Portugal but throughout the world and that portray a reality masquerading as a hoax for which the world and sports organizations need to act more effectively and efficiently.

Theoretical reference

Fraud

Concept

According to the author [4], fraud is an action that is contrary to what is the truth and what is correct and honest. Fraud is committed with a view to harming a person or an organization. The authors Cella and Rech [5] define fraud as an intentional action promoted for one's own benefit by an agent, to the detriment of another. The same authors cite Ludícibus and Marion [6] to state that fraud is an act that aims to deceive others for their own benefit, and can be characterized as theft, embezzlement, falsification or breach of trust. In order to make this definition more complete the authors resort to Albrecht *et al.*, [7] to add that fraud can also be committed to benefit an organization and not only for personal gain.

The author Lascano [8] cites the Institute of Internal Auditors to define fraud as an illegal act, carried out by individuals and/or organizations with the purpose of obtaining money, goods or services, to avoid payments or loss of services, in order to ensure personal or commercial advantages.

According to the author Marcondes [9] there may be 2 major types of fraud, each one having its own specific characteristics:

- "Advance Fee" - as the name implies in this type of fraud, the offender asks the victim for some amount of money in advance in order to get some kind of title, insurance, documents, to get a supposed much greater benefit for the victim. The objective is to keep the amount in advance and leave the victim with nothing.
- "Vanish Capital" - in this second type of fraud, the offender aims to take direct or indirect possession of a value (usually in cash) of the victim's property, through the promise of obtaining a relevant advantage (high interest, high commercial profit, low rate financing, and makes this amount disappear (the final destination is always the offender's pocket). Often in this type the means adopted to achieve this result are ingenious and show a deep knowledge of legal mechanisms and markets.

Within fraud, we have the cases of corruption that are the most practiced nowadays in the sports sector. It is divided into four subcategories: Conflict of

Interests; Bribes; Illegal Gratuities; and Economic Extortion.

According to [10] the conflict of interest shows the favoring of a person or a third party, through the development of purchases or sales; the bribery represents the practice of offering money or benefits to an individual, in exchange for an illicit act, promoting the obtaining of advantages that induce the recipient to act dishonestly; illegal gratuities constitute a reward paid, also illicitly, for the performance of a certain service provided; finally, economic extortion includes the obtaining of advantages by others, using coercion, blackmail or violence.

According to Kranacher, Riley, and Wells [11] there is a system of fraud called the Triangular System, which has 3 factors for fraud:

- Pressure
- Opportunity
- Reason

Offenders need to find a morally acceptable excuse because the fraud they are committing is not seen as a crime, which helps them avoid feelings of guilt and makes the whole process easier to commit their crime. According to Mangala and Kurami [12] fraud has been a problem for all business organizations in today's markets. The same authors argue that nowadays, no organization is immune to being a victim of fraud. Even though there are several techniques to combat fraud using efficient management structures, and the implementation of innovative systems in the defense of organizations, such as internal and external audits that allow a tighter control, thus not giving much room for maneuver to potential offenders be they internal or external to the company.

According to [13], crime, fraud and corruption have always been linked to any opportunities to obtain degrading benefits from others, be these monetary or other benefits. In this case the sport would not be different, and as it became more visible and seen as a business was beginning to be invaded by personal interests and some offenders, thus committing acts that are against the principles of world sport.

Pierre de Coubertin, the re-inventor of the modern Olympic Games, said that the important thing in sport was not to win, but to fight. In this case, the essential thing is not to win, but to have made an effort to achieve the goals. This phrase in today's sport is less and less inserted, more and more what counts are the results and we forget how we achieve them.

Corruption in sport has its own definition, so sports agents can perceive what is legal or illegal within the rules. According to the author [14], sports correlation is defined as any illegal, immoral and unethical activity that deliberately distorts the result of a

sports competition (or any of its elements) with the objective of personal material gain for one or more parties involved in that activity. This definition allows all sports agents to enjoy a protection of ethics in sports competitions, fair play is only one of the many values inherent in sport.

In a more internal context, corruption in Portugal was treated for the first time in the preparation of the Law on the Basis of Physical Activity and Sports in 1991, thus defining the concept of sports agent as one who, individually or as a whole, participates in sports competition, thus proposing that any acts that would not be accepted by these definitions would be considered acts of corruption and could be considered active or passive.

Prates [14] defines sport as an activity inherent to the human condition, often associated with values of integrity, impartiality, loyalty and justice. The emotion and unpredictability of competition, as well as the dexterity and determination of athletes, promoted sport on a global scale. Its exponential growth has made it a source of income for many athletes, managers, referees, federations, associations and other sports entities. With the high flow of money generated, sport has become vulnerable to the phenomenon of corruption - from the Latin *corruptio*, with the sense of deterioration, act, process or effect of corrupting, or in its plural *corruptus*, that is, something torn to pieces.

Moreira and Pestana (n/d) [15] state that the promotion and development of sports ethics should be integrated in a perspective of cultural, educational and civic development.

The most frequent fraud in the sports world is the manipulation of results, which consists of changing the unpredictable outcome of certain sports events, one of the main characteristics of sport, providing high financial or illegal sports gains [14]. The destruction of the sporting spirit, through the vitiation of the results of a competition, leads to discredit and disinterest, not only of the millions of fans around the world, but also of the practitioners, who lose their motivation and willingness to fight for victory, making real sport a species in danger of extinction.

Addiction or manipulation of results, commonly known as Match Fixing, includes damage to the integrity of games or competitions, influencing the outcome of a match, or, for example, the manipulation of sports competitions [16]. FIFA describes it as an activity to influence the outcome of a match in a manner that is contrary to sporting ethics.

In 2011, the International Olympic Committee laid down five rules and codes of conduct to combat Match Fixing: everyone must master the rules of their own sport and multi-sport competitions; not bet on their

own sport or multi-sport competitions; never manipulate a competition or part of it; beware of private information; immediately report any attempt at manipulation that is being witnessed or targeted.

Motivating factors in the practice of fraud

In Cressey's study [17], there are three major factors that encourage the practice of fraudulent acts:

- Pressure
- Opportunity
- Rationalization

The author Amado [18] also cites Soares [19] to state that fraudulent behavior is triggered by a combination of three factors: pressures, opportunities and attitudes and describes:

- Pressures: This factor usually leads to the practice of financial fraud in order to maintain a high standard of living or gambling addiction;
- Opportunities: represent the perceptions that a particular person or organization that has that leads them to think that they can commit fraud, without being discovered;
- Attitudes/rationalization: refers to a person's way of justifying their fraudulent behavior using moral excuses such as "it was only this time" or "I need more than them".

Examples of fraud cases

Fraud in the age of athletes

The discussion about the age of registration of athletes and the real biological age is not new and, by the way, it will not end any time soon. Different factors lead to adulteration or discrepancy between the age of registration and the biological age of the athletes. As an example, the following reasons for the mentioned sports fraud can be cited:

- Late birth registration;
- Malicious adulteration of birth documentation. In collusion with the above reasons, there are the social factors that involve them, when, in most of the opportunities that the adulterations are found, the athletes originate from economically and financially poorer countries/communities/locations, with high political corruption.

The result and effect of the adulteration, almost always, is or will only be admitted much later, after years of the athlete's appearance, notwithstanding, however, the subjects involved with them, such as, for example, without limitation, the agents, the sports organizations and the States, already knew or at least were suspicious of the strange situation, however, by convenience and by their own interests, mostly financial interests, are omitted and do not investigate the matter.

In principle, the issue should be treated as an ethical, social and behavioral problem. This study will

try to explain, in a clear and objective manner, what is meant by the adulteration of athletes' registration, which

leads to the practice of such fraud by those involved and its respective consequences.

Chart-1: Fraud in the age of athletes

Problem	Description of the problem
Ethical and social	<p>The breach of conduct or lack of ethics on the part of athletes and their participants can, and often has, origin of social and customary nature, according to the place of their births. Since corruption or social deviance in various branches of society is part of the culture of certain regions or countries, sports fraud ends up being at a level of tolerance acceptable and accepted by all, despite being a standard crime, as will be seen below. The most worrying aspect of this situation is that, in many cases, the fraudster comes from his or her own relatives, being the athlete's own father or mother.</p> <p>The conviction and certainty of impunity lead to the continuity of the practice by others, even after countless cases of discovery. The conduct reaches absurdity when parents change the identities of their siblings, acquiring the identity of the promising athlete's brother or a younger cousin. In poorer countries, where it is difficult to register the birth of a child at a notary's office because of the complete absence of public authority in certain regions, parents are forced to register their children many years later, sometimes even when they are already initiated in sport. These are so-called official or legal adulterations. Numerous cases of age discrepancies of African athletes in various sports have been discovered, but in reality there has been no registration tampering, but rather late registration of the athlete's birth. The absurdity, however, is when the late registration comes from the deceit of parents who, already thinking about a possible promising career in sport, register the birth of their child 2 or 3 years after its true birth.</p> <p>Even though they are often innocent in the fraudulent scheme, sports organizations benefit and instigate, even indirectly, the perpetuity of the practice of fraud, insofar as many regions or countries privilege physical strength to the detriment of the talent or skill of the athlete, benefiting, consequently, the older athlete who claims to be younger.</p> <p>The same happens with coaches and agents, who pretend to know nothing about the suspicion of the age of their athletes, even though the discrepancy between the physical stature, the more mature posture of the athlete with the supposed age of him, is wide open, because, in reality, what matters to these subjects is the physical imposition of the boy or girl who will help them to win games and, consequently, to ascend in the career.</p> <p>This is the consequence of the lack of commitment to human training in the sports field of a given society, where what is worth is only the immediate result, which will benefit only the organization, the coaches and agents involved, even if the athletes who make up the team do not reach the professional career so desired. For this reason, athletes feel comfortable in practicing such fraud still young, because they know that they will have shelter from those involved, that they will close their eyes to reality and, even discovered after 1 or 2 years of practice, they will have already demonstrated the capacity to be professionals, because the athlete ends up being judged by the sport he practices and not by his lack of ethics outside him.</p>
Behavioral	<p>By way of example, the adulteration of birth registration documents is a criminal offence classified as a crime of ideological falsification, with the possibility of imprisonment for one to five years or a fine. As no athlete has been arrested for such a practice, even though it has been discovered, it is worth, in the eyes of justice and human behavior, defrauding the law in order to reach the professional level in sport, because the professional rise has greater social and financial consequences for the practitioner than the penalties in case of the discovery of the crime.</p> <p>In fact, what happens is the full and crystalline impunity, where the discovered defrauding athletes continue with their careers as if no crime had been committed.</p> <p>Many claim that the prison sentence for the athlete may be too much or exaggerated, however, as long as they can only exchange what happened with small fines or community services, the pedagogical nature of the law will never be reached.</p> <p>What must be changed is the human behavior, especially the behavior of family and agents, who, taking advantage of the dream of other people's childhood, do with what the athlete does everything and anything to achieve the objective, even if the necessary conduct is not ethical or legal.</p>

Source: the authors.

According to Alberton [20], cited in Assing, Alberton and Tesch [21]: behavior is influenced by cultural (culture, subculture and social class), social (reference group, such as family; social role and status), personal (age and stage of life cycle, occupation, lifestyle, economic circumstances and perspectives, personality and self-concept/self-esteem) and psychological factors [20].

It can thus be said that the behavior is justified by the social and cultural environment that the individual belongs to, however, in the case of athletes, those involved with their careers are many and from different regions, which would lead, as a consequence, to different ways of thinking that should, in theory, extirpate fraud from their birth.

The greedy and biased behavior of the subjects leads to the continuity of the fraud with the objective of self-benefit, knowing that only the athlete can be penalized. Selfishness and human greed end up directly influencing the conduct of athletes who, many times naively, allow themselves to be led along crooked and distorted paths. It is a vicious cycle that, unfortunately, has little end.

The biggest Olympic frauds

In its most basic understanding of the adulteration of the outcome of a competition, we find that sports corruption, as to its origin, is not a recent phenomenon. The first documented case of corruption in international sport originated in the Olympic Games

of 388 BC, in which a "fist fighter" athlete, Eupolos de Tessália, offered undue property advantages to three other fighters, so that they would lose their respective battles against him [1].

Internationally, corruption in sport is defined as any illegal, immoral and unethical activity that deliberately seeks to distort the outcome of a sports competition (or any of its elements) with the objective of personal material gain for one or more parties involved in that activity. It seems clear to us that the

objective of such a definition is to protect the ethical integrity of sports competition, in order to safeguard the so-called fair play, of any person who wants or may profit from the results tending in a certain direction [22].

Types of fraud in the Olympic Games:

- Use of technological means;
- Doping and Sport;
- Going beyond the moral values of sport.

Table-2: Type of fraud in the Olympic Games

Types	Description
Use of technological means	Technological developments in simple equipment, such as the dart, affected the index by around 30%, while the index associated with aerodynamic improvements in one hour was around 100%. It is concluded that the index of performance improvement could be represented for both amateur and elite sport, where distance or time are used as a measure of performance [23]. The other side of technology: At the 1976 Montreal Olympics, when the athlete knew that electronic equipment was going to be used, he wore a device on his wrist that marks as touch every time he wanted it. Onishchenko was only discovered when he pressed the button and was away from the opponent.
Doping and Sports	Doping means athletes who use illegal substances to improve their performance. There are five classes of prohibited drugs, the most common being stimulants and hormones. There are health risks involved and they are banned by government sports bodies. (https://www.bbc.com/sport/athletics/33997246) Irrespective of whether or not I take a position on the subject, drugs are an important issue in sport. Sports pages in newspapers all over the world routinely report on athletes of all levels and competitions using performance-enhancing substances to gain an unfair advantage over their competitors. The level of sophistication in winning drug testing and developing next-generation agents continues to increase. The relative scarcity of well-planned investigations has been an additional factor preventing attempts to adequately address the problem. Slightly scarce studies are currently available to conduct the necessary research. Without reliable data, athletes are more vulnerable to complaints made by those who benefit from sales of these compounds [24, 25]. Examples: <ol style="list-style-type: none"> 1. Adrián Annus even used a fake penis, with someone else's urine, during one of his tests. 2. Athlete Antonio Pettigrew helped to win the 4x400-metre race that took the US team to first place on the podium. However, eight years later, he admitted that he used drugs to win the Sydney Olympics in 2000. On August 10, 2010, Pettigrew was found dead in his car, the victim of an overdose.
Exceeding the moral values of sport	When we talk about the moral values of sport, we often ask whether being an athlete or being a human being who loves to participate in sport is different. According to the author presented here. Chatzisarantis & Hagger [26] we can understand that yes the difference seems that the so-called amateur athletes have a different motivation from those who are ready to win a medal. This leads us to other doubts, namely if it is the pressure posed by several variants that the sport itself predisposes (Coach, family, financial resources, etc.) and, if these variables can be attenuated and thus make sport, for those who really want to win a medal, rich, for their values, which in most cases are for life. Example: when everything goes for the medal: the French swimmer Aurelie Muller was accused of misconduct, after having tried to drown a colleague. Muller tried to stop Italian Rachele Bruni from touching the sign that marks the time of arrival first. He lost the silver medal to Bruni.

Source: the authors.

When we interpret sport as a school of values, we never think that it can be the target of fraud, because moral values are not paid for with money, but with education. Even so, by researching some cases represented here [25, 24], either by news (<https://www.sabado.pt/desporto/detalhe/as-maiores-fraudes-olimpicas-da-historia>) we can see that this value that sport has is becoming something as superficial as if in sport the most important is to raise a cup or a medal. Forgetting in most cases that pleasure is in the way, in the process, and not how it ends.

The Huge Fyre Fest Fraud

As is well known, frauds or scams happen more and more and in more elaborate ways so that they can deceive everyone, or segmenting the target audience of the scam. Nowadays, with the appearance and development of the Internet and social networks more and more, scams are no longer practiced in the "door to door" and are now planned and executed through a computer, using Facebook, Instagram, Twitter to pass on an idea of realism so as not to raise any suspicion of their malice.

The present case deals exactly with a fraud carried out via social networks by a group of event organisers who are very inexperienced but nevertheless very influential in the media in the United States of America. The appearance of recognized and influential people from the American community brought some credibility to the event, however this case study has a very peculiar particularity, is that although the organizing committee of the event was constituted by a group of approximately 8 people, they were all being cheated by the director of the event, Billy McFarland.

After the realization of the event there were several denunciations by various entities being them by the Bahamas government, companies that were hired to work during the festival, workers who never saw their work paid, and in most cases had to put money from their pockets for the festival, as well as the most injured who were the users of the event.

According to a study by [27] about 20% of the social network accounts of major global companies such as NIKE, BMW, Starbucks, Samsung were false. According to the study, 4,840 social media accounts associated with ten global brands were investigated and 20% (902) were found to be false. Of the 902 false accounts, 28% were identified as accounts created by criminals to steal data or sell pirated products. The remaining 2/3 were associated with schemes to earn advertising revenue by clicking ads on social networks that take users to sites full of junk. As brands invest more in social media advertising, Proofpoint warns of the risk of increasing this type of fraud.

The Fyre Fest case would be that kind of event that has everything to work out, and run as planned, and meet what the target audience wants when planning their holiday. Paradisiacal beaches, sun, music, fun are some of the favorite points for young people who want to spend their holidays at summer festivals. The Fyre Festival was just another summer festival, but with some characteristics that drove it to one of the most desirable in the world. This would take place over a week on a paradise island in the Bahamas, with the presence of the world's best artists, where overnight stays would be between yachts, or luxury tents depending on the event's desired packs.

This whole innovative event came from the mind of a young man named Billy McFarland, only 22 years old, who despite his tender age already had an innovative project worth 1.5 million dollars. The young entrepreneur then created the concept of the largest and best summer festival in the world, worth up to 90 million dollars, and tomorrow land is considered the largest summer festival to date and is valued at 15.9 million euros (approximately 18 million dollars).

Normally, the companies that organize events of this size need at least a period of approximately 1

year for the organization, management and control of it, but in the case of Fyre Festival, this process was all carried out in less than 4 months, about 1/3 of the usual period. Billy then joined his organizing committee, Fyre Media and began to develop the idea. Between yachts as rooms for customers, the renowned chefs cooking in the event venue, Fyre Media organized everything, giving the sponsors and the target audience the sure idea that the event would run as smoothly as possible and according to expectations.

Since Billy McFarland would already have an innovative business, and with some recognition, it was not difficult to raise sponsorship for the Fyre. According to the study by (Price, 2018), the entrepreneur managed to raise a total of sponsorships close to US\$26 million, thus obtaining the necessary working funds for its organization.

Fyre Media, after having carried out its market study and having come to the conclusion that the fastest and least expensive way to meet its target audience would be social networks, began to name some of the best world models making them ambassadors of the event, thus making them publicize the festival and in return would have a guaranteed place in the VIP packs.

According to a BBC study [28], approximately 5000 tickets were sold in less than 24 hours, as the price of each ticket was relatively cheap for the type of event it was. There were 3 types of packs, the cheapest starting at \$1,500, an intermediate of \$8,900, and a VIP pass of approximately \$25,000.

At the time of the event, the largest artists in the world had been announced at excessively high prices in order to be able to present more expenses to the sponsors, however, as none of the agents, nor the artists had been contacted for their presence at the event, began to appear on the official social networks of the bands/artists who had reported that their performance at the Fyre Festival had been cancelled.

Once there, the young people who would come for a dream vacation at the best summer festival in the world realized that they had been fooled all the time by the organizing committee and Billy McFarland, thus losing their ticket money and their dream vacation. Several journalists who would be attentive to the festival due to all their controversies between the little time of planning, all the luxuries included in the packages sold to customers, the excess expenses during the planning of the event, began to study the case and make reports to the American authorities of the event, thus proving the reports of the injured parties.

According to the study of [29], Billy McFarland was forced to pay 5 million dollars to 2 young adventurers who had followed their cases to court. The North Carolina court sentenced Mark

Thompson and Seth Crossno to pay 1.5 million dollars for compensatory damages and 1 million dollars for scam aid.

According to the news given by [30] Billy McFarland was accused of fraud and having been sentenced to 10 years in prison and to pay all the money he defrauded the almost 80 investors being a figure close to 26 million dollars. However, even before he started serving McFarland's jail time, he was again accused of fraud, due to another project aimed at finding money to pay all the costs of the failure of the Fyre Festival.

According to [31], the Fyre Festival organizing committee, Fyre Media, is obliged to pay nearly 100 million dollars to all the victims of the Fyre Festival, including clients, workers, contractors, and even the Bahamas government.

CONCLUSION

Fraud as a cunning, deceitful, bad-faith act, with the purpose of harming or deceiving others, or not fulfilling a certain duty, differs from error, because while fraud is related to crime, error is illicit.

Since ethics is the need for the individual to observe the rules of conduct, it is clear that the adulteration in the documentation of athletes in order to defraud their ages is a violation of the respective rule or regulation of the sports practiced and, consequently, reveals a complete lack of ethics on the part of the defrauder. The environment surrounded by the athlete, at a family, social and cultural level, directly interferes in the making of the wrong decision to tamper with his documentation.

It is possible to say that many athletes who have defrauded their documentation, can actually reach the professional level of their sport. In the same way, that many athletes discovered, had already affirmed themselves professionally in the sport, becoming an athlete with a solid career, which softened or almost eradicated the impact of the crime they committed.

It turned out that this is, in fact, a social problem that will most likely still persist in time and in the world of sport, while more severe penalties are not directed so much to athletes, as to clubs, agents and others involved in fraud.

The Olympic Games, too, are a cunning example of different types of fraud. Among those mentioned in this research are the use of technological means that would deceive judges and alter the rules for balancing competitions, the use of doping, or even the lack of ethics and respect for the opponent when winning at all costs is at stake.

Nowadays, we have to be more and more careful with the purchases/services that we obtain through social networks, in many cases fraud may not be the loss of money, but in many cases it is the relationship between what is paid and what is received. In a service that relationship is much more accentuated and verified in a faster way, the study presented in this project essentially deals with a scam in which the service promised and paid for by customers had nothing to do with what was promised by the organizing committee of the event.

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