

# SCCL Disciplinary Regulations 2023



## GENERAL CONDUCT REGULATIONS and PROCEDURES

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#### APPENDIX 1 - REPEATED BREACHES OF DISCIPLINE

Based upon ECB General Conduct Regulations, Updated March 2023, a copy of which can be found at <https://resources.ecb.co.uk/ecb/document/2023/03/01/1732bdea-fac9-4c5f-84e2-dd1ede452d2e/26.-GCR.pdf>

#### DEFINITIONS

**Adjudicator** - means an individual (who may be one of a group of individuals) appointed by the League to have responsibility for the Summary Procedure.

**Charge Letter** –means a letter or email outlining the charge (or charges) to a Respondent.

**Disciplinary Officer** – means an individual (or group of individuals) appointed by the League who has responsibility for the disciplinary process under these Regulations. All disciplinary emails should be sent to SCCL Secretary –[sccl\\_sec@yahoo.com](mailto:sccl_sec@yahoo.com) where they will then forward to the necessary contacts.

**Participants**– means all individuals who are under the jurisdiction of a Relevant Cricket Organisation, including:

- (a) cricketers;
- (b) volunteers, officers, employees and members of any Relevant Cricket Organisation;
- (c) match officials;

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(d) coaches; and

(e) any other person under the jurisdiction of any Relevant Cricket Organisation.

**Relevant Cricket Organisations**- means County Cricket Boards and ECB Premier Leagues, who are required to adopt these Regulations, and any other cricket organisation which has voluntarily adopted these Regulations including Shropshire County Cricket League.

**Relevant Criminal Offence** - means any offence against a child, any sexual offence, any violent offence, any drug offence, any public order offence, any offence with an aggravated element, any offence of cruelty against animals and any offence relating to integrity.

**Respondent**- means a Participant, Non-Participant or Club which is the subject of a disciplinary charge.

## 1. Aims and Jurisdiction

1.1. The England & Wales Cricket Board (ECB) is committed to maintaining the highest standards of behaviour and conduct. The Shropshire County Cricket League (the League) operating within the jurisdiction of the ECB, takes this commitment very seriously.

1.2. These regulations, incorporating major parts of the ECB General Conduct Regulations including Code of Conduct and The Spirit of Cricket, have been adopted by all County Boards, Premier Leagues and County Leagues in order to provide a fair, efficient and consistent manner to deal with any alleged breach in the regulations or in the Code of Conduct and Spirit of Cricket. They will apply to the whole of recreational cricket by 2023.

1.3. Cricketers will be subject to on-field conduct obligations mirroring the Laws of Cricket and other participants present at matches (e.g. coaches, officials and representatives of other cricket organisations acting in an official capacity at the match) will be subject to more limited on-field conduct obligations.

1.4. Participants in recreational cricket will be subject to off-field conduct obligations which either relate to their participation in recreational cricket or occur outside their direct participation but are of a sufficiently serious nature to justify disciplinary action being taken in relation to recreational cricket (e.g. discriminatory comments being made on social media). There is reduced scope for bringing disciplinary action against representatives of cricket organisations, as opposed to cricketers, coaches and officials, given the role they play within cricket.

1.5. The League shall appoint a Disciplinary Officer for each case. The Officer will gather evidence and invite participants to a hearing if required. All Participants are required to co-operate with the League and agree to be bound by these regulations.

1.6. There is nothing in the Regulations preventing or discouraging clubs from applying additional or stronger penalties with regard to the Code of Conduct beyond those appearing within these



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Regulations, whether or not they are the subject of a discipline report. To this end, it is important that clubs have their own Code of Conduct and disciplinary procedures in place.

1.7. At all times it is to be remembered that the core aim of the Regulations is to maintain the highest standards of behaviour and conduct in the game of cricket. The procedures detailed in these Disciplinary Regulations are intended to be fair, consistent and proportionate to the needs of the League and Participants.

## 2. Code of Conduct and Spirit of Cricket

### 2.1. Code of Conduct

**2.1.1.** Captains must take the major responsibility at all times for ensuring that play is conducted within the Spirit of Cricket (paragraph 2.2) as well as within the Laws. All players, Umpires and Coaches must also share in this responsibility.

**2.1.2.** Players must at all times accept the umpire's decision and be prepared to show self-discipline, even when things go against them. This means not showing dissent at the umpire's decision or reacting in a provocative or disapproving manner towards another player or a spectator.

**2.1.3.** Players and club officials shall not intimidate assault or attempt to intimidate or assault an umpire, another participant or a spectator.

**2.1.4.** Players and club officials shall not use crude and/or abusive language (known as "sledging"), nor make offensive gestures or hand signals, nor deliberately distract an opponent.

**2.1.5.** Players and club officials shall not make racially abusive comments nor indulge in racially abusive actions against fellow players, officials, members or supporters. They should not use language or gestures that offend, insult, humiliate, intimidate, threaten, disparage or vilify another person on the basis of that person's religion or sexual orientation. Clubs must operate an active open door membership policy whilst respecting player qualification regulations and welcome players and members irrespective of ethnic origin.

**2.1.6.** Players shall not use or in any way be concerned in the use or distribution of illegal drugs.

**2.1.7.** Participants shall not make any public or media comment which is prejudicial or detrimental to the interests or reputation of other participants or the game of cricket in general. In this instance, media shall include (but not necessarily limited to) press, radio, television, external websites, club websites, social networking sites and club match programmes. Nothing in this provision shall prevent



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any comment which constitutes honest opinion in regard to cricketing matters and which is made in a fair and respectful manner.

**2.1.8.** Clubs must take adequate steps to ensure the good behaviour of their members and supporters towards players and umpires. Any Club found to be in breach of the ECB Code of Conduct may be expelled from ECB Competitions for the current and future seasons.

**2.1.9.** Participants shall not act in any manner which is against the Spirit of Cricket, otherwise improper, or prejudicial or detrimental to the interests or reputation of the League(s) or the game of cricket.

## 2.2. Spirit of Cricket

**Cricket is a game that owes much of its unique appeal to the fact that it should be played not only within its Laws, but also within the Spirit of the Game. Any action which is seen to abuse this spirit causes injury to the game itself. The major responsibility for ensuring the spirit of fair play rests with the captains. Cricket is an exciting game that encourages leadership, friendship and teamwork, which brings together people from different nationalities, cultures and religions, especially when played within the Spirit of Cricket.**

**2.2.1.** There are two Laws which place the responsibility for the team's conduct firmly on the captain.

### Responsibility of Captains

The captains are responsible at all times for ensuring that play is conducted within the Spirit of the Game as well as within the Laws.

### Player's Conduct

In the event of any player failing to comply with Law 42 relating to Player Conduct or Law 41 relating to Unfair Play which include refusal to follow the instructions of an umpire, criticising his decision by word or action, showing dissent, or generally behaving in a manner which might bring the game into disrepute, the umpire concerned shall in the first place report the matter to the other umpire and to the player's captain, requesting the latter to take action.

### 2.2.2. Unfair Play

According to the Laws the umpires are the sole judges of fair and unfair play. The umpires may intervene at any time, calling "Dead Ball" if necessary (Law 42 - Players Conduct) and implement the procedure as required.

**2.2.3.** The umpires are authorised to intervene in cases of:

- Time wasting



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- Damaging the pitch
- Dangerous or unfair bowling
- Damaging the ball
- Distracting the batsman
- Non striker leaving his ground early
- Penalty runs
- Any other action that they consider to be unfair including a persistent course of conduct, an individual occurrence within which may not be suitable for sanction but when aggregated, constitutes unfair conduct.

## 2.2.4. RESPECT is central to the Spirit of Cricket:

- Respect your opponents, your team mates, and the authority of the Umpires.
- Play hard and play fair.
- Accept the umpire's decision. Create a positive atmosphere by your own conduct and encourage others to do likewise.
- Congratulate the opposition on their successes and enjoy those of your own team.
- Thank the officials and your opposition at the end of the match, whatever the result.

## 2.2.5. Violence

There is no place for any act of violence on the field of play. Any proven case is likely to be dealt with as a Level 4 offence.

## 2.2.6. Social Media

For the avoidance of doubt, any postings online and/or on social media, (Twitter, Facebook, WhatsApp or similar/equivalent platforms), also fall to be determined in accordance with the factors above. In relation to such cases, it should be noted:

- a) Posting, repeating, commenting, or supporting posts or comments by others that breach the Regulations may itself constitute a breach of the Regulations. For example, liking or otherwise promoting or supporting a comment that breaches the ECB's Anti-Discrimination Code is likely to result in a breach of the Regulations not only for the person who posted the comment in the first place but also for any Participant who supports that post.
- b) If a Participant is alleged to have breached this Regulation as a result of having liked or supported a discriminatory comment but claims that someone else logged into their social media account to submit that "like" (or other supportive comment/gesture), this will not necessarily prevent regulatory action being taken but should be taken into account by the Adjudicator or Disciplinary Panel.
- c) The deleting of any inappropriate content, whilst advisable, does not of itself prevent disciplinary action being taken.

## 3. Conduct Obligations On-field

### Cricketers



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Any cricketer shall be in breach of these Regulations, at the relevant level of offence detailed below, if they do not conduct themselves fairly and properly on and around the field of play and otherwise in accordance with the Laws of Cricket or the Spirit of Cricket. A cricketer shall be in breach of these Regulations if they commit any misconduct on any match day as specified in Law 42 of the Laws of Cricket, namely:

## LEVEL 1

- (a) willfully mistreating any part of the cricket ground or any equipment or implements used in the match;
- (b) showing dissent at an umpire's decision by word or action; (c) using language that, in the circumstances, is obscene, offensive or insulting;
- (d) making an obscene gesture;
- (e) appealing excessively;
- (f) advancing towards an umpire in an aggressive manner when appealing;
- (g) any other misconduct, the nature of which is, in the opinion of the umpires, equivalent to a Level 1 offence;
- (h) time wasting by either the fielding side or the batting side.

## LEVEL 2

- (i) showing serious dissent at an umpire's decision by word or action;
- (j) making inappropriate and deliberate physical contact with another cricketer;
- (k) throwing the ball at a cricketer, umpire or another person in an inappropriate and dangerous manner;
- (l) using language or gesture to another cricketer, umpire, team official or spectator that, in the circumstances, is obscene or of a seriously insulting nature; and/or
- (m) any other misconduct, the nature of which is, in the opinion of the umpires, equivalent to a Level 2 offence.
- (n) deliberate and malicious distraction or obstruction on the field of play, regardless as to whether such conduct is deemed to be fair under law 42.5
- (o) changing the condition of the ball other than as permitted by Law 42.3
- (p) the bowling of fast short pitched balls that result in the bowler being disallowed from bowling further in that innings
- (q) causing avoidable damage to the pitch contrary to Laws 42.13 and/or Law 42.14.

## LEVEL 3

- (r) intimidating an umpire by language or gesture



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(s) threatening to assault a cricketer or any other person except an umpire.

(t) using language or gesture that offend, insult, humiliate, intimidate, threaten, disparage or vilify another person on the basis of that person's age, race, religion, sexual orientation, colour, descent or national or ethnic origin (actual or perceived).

## LEVEL 4

(u) threatening to assault an umpire;

(v) making inappropriate and deliberate and/or dangerous physical contact with an umpire;

(w) physically assaulting a cricketer or any other person

(q) committing any other act of violence

(y) using language or gestures that seriously offend, insult, humiliate, intimidate, threaten, disparage or vilify another person on the basis of that person's age, religion, sexual orientation, colour, descent or national or ethnic origin. (actual or perceived).

3.1 A cricketer shall also be in breach of these Regulations on and around the field of play if they:

(a) commit any breach of Law 41 (unfair play) ; or

(b) act in a manner contrary to the ECB's Anti-Discrimination Code; or

(c) conduct themselves in a manner or act in a manner which is improper, or which may be prejudicial to the interests of cricket, or which may bring the ECB, the game of cricket or any cricketer or group of cricketers into disrepute.

3.2 When a Panel Umpire considers that the conduct of a cricketer is unacceptable the following course of action may take place (see also Section 5 below):

i) The Panel Umpire will immediately call and signal "Dead Ball" (unless this disadvantages the non-offending team, in which case he will wait until the ball is deemed dead.

ii) The Umpire will then collect the ball from the fielding team.

iii) The Umpire will consult with his colleague and decide whether misconduct has occurred, and, if so, at what level and decide upon the appropriate sanctions.

iv) Once decided the umpire will call "Time" and summon the captain of the offending team (even if he is not currently on the field of play). He will be informed that an offence has occurred, at what level and what the sanction will be.

v) Apply sanctions, record what has happened and what actions were taken. As soon as practicable call "play" to resume the contest.

## Coaches and Officials

Any coach, match official or Club Official shall be in breach of these Regulations if they fail to conduct themselves fairly and properly on any part of the cricket ground on any match day. Conduct which is



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not fair and proper and will therefore result in a breach of these Regulations shall include, but not be limited

to:

- (a) making inappropriate and deliberate and/or dangerous physical contact with, threatening to assault, physically assaulting or committing any act of violence towards any other Participant (including an umpire) or any member of the public;
- (b) showing dissent at an umpire's decision by language or gesture, advancing towards an umpire in an aggressive manner when appealing or intimidating an umpire by language or gesture;
- (c) using language that, in the circumstances, is obscene, offensive, insulting or seriously insulting;
- (d) making an obscene or seriously insulting gesture;
- (e) conducting themselves in a manner or acting in a manner which is improper, or which may be prejudicial to the interests of cricket, or which may bring the ECB, the game of cricket or any cricketer or group of cricketers into disrepute; and/or
- (f) acting in a manner contrary to the ECB's Anti-Discrimination Code.

If a Panel Umpire considers that there has been an On-Field Breach (& they have not invoked the procedures set out in 3.2 above), they must make reasonable efforts to inform the individual (or their captain or a Club Official) before they leave the ground and make a Disciplinary Report to the Disciplinary Officer of the Relevant Disciplinary Body. This Disciplinary Report shall be made irrespective of any action the umpire may have taken on the field of play. Other individuals can also report On-Field Breaches either to the Panel Umpire, in which case the Panel Umpire will make a Disciplinary Report,

or to the Disciplinary Officer directly by way of Written Complaint. (For example, if the On-Field Breach relates to a match official). If there is no Panel Umpire appointed to a particular match, individuals can report On-Field Breaches to a captain or Club Official who can then make a Disciplinary Report on their behalf.

The impending report should be notified by telephone or email by the umpire to

the Disciplinary Officer within 24 hours of the end of the match. The full written report should be sent, preferably by email using the standard discipline report form, to the Disciplinary Officer and be received within 72 hours of the end of the match.

## **Captain/Team responsibility**

If any cricketer commits two or more breaches of Regulation 4 (Conduct obligations on and around the field of play), which take place during or immediately before or after a match, when playing for the same Club in a season it shall automatically be a separate offence of failing to ensure that the relevant cricketers have complied with their obligations for each of:

- (g) Any person who captained the team in each of the relevant match(es); and
- (h) The Club the cricketer was playing for.

See Appendix 1 - Repeated Breaches of Discipline.





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## 4. Conduct Obligations Off-field

### Participant

A Participant shall be in breach of these Regulations if they commit any misconduct as set out below which either relates to their participation in Recreational Cricket and/or is of a sufficiently serious nature to justify disciplinary action being taken in relation to their participation in Recreational Cricket:

- (a) making an abusive, obscene, offensive or otherwise insulting comment or gesture (in any form) in relation to any other Participant or any other person;
- (b) any act of violence towards another person;
- (c) engaging in behaviour that constitutes any form of abuse or harassment, whether physical, sexual, emotional, neglectful or bullying in nature;
- (d) any breach of the ECB Anti-Discrimination Code or the League's Inclusion and Diversity Policy
- (e) making any adverse public statement or comment in any form and by any means about the performance and/or decision(s) of any match official(s);
- (f) failing to report to their Club, any Relevant Criminal Offence for which they have been subject to investigation and/or charged with;
- (g) conducting themselves in a manner, or doing or omitting to do anything which is or may be prejudicial to the best interests of cricket, or which may bring or does bring the game of cricket, any Participant, Club, League, County Cricket Board or the ECB, into disrepute;
- (h) any breach of Law 41; or
- (i) failing to comply with any decisions or sanctions validly imposed on them following due process as prescribed by these Regulations. Participants are considered responsible for any relevant posts on their social media accounts and may be in breach of Regulations for posting, repeating, commending or supporting posts or comments by others (e.g. 'retweeting' or 'liking') on social media.

### Club

A Club shall be in breach of these Regulations if, at any time, it:

- (a) fails to take reasonable steps to ensure the good behaviour and conduct of their Participants for any breach of these Regulations; and/or
- (b) knowingly permits a cricketer, who is suspended as a result of a previous breach of these Regulations, to play in any match or competition; and/or
- (c) any of its Participants commit any serious, collective or repeated breaches of these Regulations; and/or
- (d) commits any breach of its obligations under the ECB Anti-Discrimination Code, or the League's Inclusion and Diversity Policy
- (e) fails to comply with any decision(s) and/or sanction(s) validly imposed on it or on any person within the organisation, which has arisen following due process as prescribed by these Regulations.



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4.1 Clubs shall also be held responsible for disorderly behaviour on any part of the cricket ground on any match day by their members and spectators, unless they can show that:

(a) they took adequate steps to ensure that their members and spectators behaved in an orderly fashion; and/or

(b) they did not or could not control entry to that part of the cricket ground by the relevant spectators and it would therefore not be fair for them to be held responsible.

4.2. If a Panel Umpire considers that there has been an Off-Field Breach which occurs on or around the field of play at a match, they will make reasonable efforts to inform the individual (or their captain or a Club Official) before they leave the ground and make a Disciplinary Report to the Disciplinary Officer. Other individuals can also report an Off-Field Breach which occurs on or around the field of play at a match to the Panel Umpire, in which case the Panel Umpire will make a Disciplinary Report, or to the Disciplinary Officer directly (wherever the Off-Field Breach may have occurred) by way of a Written Complaint.

The impending report should be notified by telephone or email by the umpire to

the Disciplinary Officer within 24 hours of the end of the match. The full written report should be sent, preferably by email using the standard discipline report form, to the Disciplinary Officer and be received within 72 hours of the end of the match.

## 5. Reporting of Breaches by Panel Umpires

5.1. Following no previous offence of any level during the match, for a first offence of a Level 1 breach of the Code of Conduct, the umpire(s) should issue a “First and Final warning” to ALL players in the offending team. The captain should be reminded that any further Level 1 offences are likely to result in Disciplinary action. The player and his captain should be advised that this warning will be noted on the Umpires portal report form. This will remain on record and will be used by the League under Repeated Breaches of Discipline. (Appendix 1).

5.2. Should the umpire(s) consider that the first offence of a Level 1 breach is sufficiently serious, they have the authority to decide to submit a formal report without having previously issued any warning. The player and his captain should be advised accordingly.

5.3. Following any previous offence, if ANY player then commits a further Level 1 breach in the match, the umpire(s) will advise him and his captain that they will be submitting a formal report.

5.4. If any player commits a Level 2 offence in the match the umpire will follow paragraph 5.1 above. He will advise the captain that a written report is to be submitted to the League.

5.5. If any player commits a Level 3 offence in the match the umpire will follow paragraph 5.1 above. He will advise the captain that a written report is to be submitted to the League.

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5.6. If any player commits a Level 4 offence in the match the umpire will follow paragraph 5.1 above. He will advise the captain that a written report is to be submitted to the League.

5.7. Any player named on an Umpires Report for receiving a first and final warning for a second time in a 24 month period will receive a one match suspension. A player named on an Umpires Report for receiving a first and final warning for a third time in a 24 month period will receive a two match suspension.

5.8. In all instances of any perceived Level 2, 3 or 4 breach, the umpire(s) should complete a formal report. The player(s) and captain or an executive of the Club shall be advised of the report on the day of the alleged offence, prior to leaving the ground. The report should be notified by telephone or email by the umpire to the Disciplinary Officer within 24 hours of the end of the match. The written report should be sent, preferably by email using the standard discipline report form, to the Disciplinary Officer and be received within 72 hours of the end of the match.

5.9. The League may take such further action as is considered appropriate against the captain, any other individuals concerned and, if appropriate, the team.

5.10 If the League is aware that the Referral relates to a cricketer who is registered with a First-Class County, a Regional Host or a Hundred Team, the Disciplinary Officer must inform the ECB's Integrity Department by email to [integrity@ecb.co.uk](mailto:integrity@ecb.co.uk) that the Referral has been received and provide any further information in respect of the disciplinary process that is requested by the ECB.

## **6. Reporting of Breaches by Participants (including non-Panel Umpires)**

6.1 Any allegation of a breach of the Regulations by a Participant made against another Participant which arises from an incident during the course of a match or on the field of play should be reported by a team's captain to the Disciplinary Officer.

6.2 Any allegation of a breach of the Regulations by a Participant made against another Participant which does not arise from an incident during the course of a match or on the field of play should, ideally, be notified to the Disciplinary Officer promptly after the incident giving rise to the allegation. Subject to any direction from the Disciplinary Officer, a written report should be produced, which should allow the Disciplinary Officer to understand:

- the background to the alleged incident,
- why a breach of the Regulations is alleged and
- the Level of breach alleged.



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Where possible, notifications and reports should be submitted to the Disciplinary Officer by a club secretary or directly through playcricket.com (or in such other manner as may be directed by the Disciplinary Officer).

6.3. The Disciplinary Officer shall have an overriding discretion to accept or decline reports submitted under paragraph 6.2. Save for exceptional circumstances, such reports shall not be accepted relating to any alleged breaches of the Regulations which have been, or could have been, reported by an umpire pursuant to paragraph 5.7 (the Disciplinary Officer may contact an umpire for his observations/views on allegations/the content of any report) or where there has been undue delay in making a notification or report.

6.4 Any complaints submitted under paragraph 6.2 must be made in good faith by Club Chairman or Delegate ONLY. The submission of a report which is trivial, vexatious, made for tactical reasons or otherwise improper may itself be treated as a breach of the Regulations.

## 7. Procedure

7.1. Following receipt of a Referral, a Disciplinary Officer must consider whether there is sufficient information and/or grounds to charge the relevant Participant, Club or League with a breach of these Regulations. If further information is required, the Disciplinary Officer shall conduct any further investigation that is necessary. The Disciplinary Officer has the discretion to involve the Shropshire Cricket Board in such further investigations.

7.2 If there is sufficient information and/or grounds, the Disciplinary Officer will issue a Charge Letter to the Respondent or the Participant's Club to share with the Participant. If there is not, the Disciplinary Officer will inform the individual who submitted the Referral that no further action will be taken.

7.3. A Level 1 or Level 2 breach of the Regulations should in the first instance be dealt with by the participant's club (in accordance with the guidelines set out in these Regulations). The Secretary of the Club shall notify the Disciplinary Officer within 48 hours of any action taken or which it proposes to take. In the case of Level 1 and Level 2 breaches, this shall, as a minimum, be a mandatory one week (Level 1) or a mandatory two week (Level 2) ban to be effective immediately. Failure by a club to comply with this procedure may itself be treated as a breach of the Regulations.

7.4 In all cases, the team for whom the offending player was representing will receive an additional minimum points penalty depending on the level of offence. This is laid out as follows. Level 1 offence = 5 pts deducted . Level 2 = 10pts, Level 3= 15pts, Level 4 = 20 pts. \* If more than 1 player is reported in the same game then the points penalty is multiplied by the number of players reported.

Where a breach of regulations occurs off the field (eg social media), then the DSC will determine which team from within a club will receive the points penalty.

7.5 If the Disciplinary Officer decides that the matter does not require a Hearing, the following shall apply:

a) The Disciplinary Officer will provide the Charge Letter to the Adjudicator and confirm to the Respondent (either in the Charge Letter or separately) the identity of the Adjudicator.

b) If the Respondent objects to the Adjudicator on the basis of a conflict of interest, the Disciplinary Officer must consider whether to appoint an alternative Adjudicator to consider the conflict of interest and/or as the Adjudicator in relation to the case.



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c) The Adjudicator will set the Respondent a reasonable timeframe (7 days unless exceptional circumstances apply) to respond to the Charge Letter in writing, if they wish to, and provide any further information which may be relevant.

d) The Adjudicator will consider the charge and determine whether, on the balance of probabilities, there has been a breach of these Regulations. e) If the Adjudicator decides that there has been a breach of these Regulations, they will impose a sanction in accordance with the sanction guidelines.

f) The Adjudicator may decide to endorse the Disciplinary action taken by the club and confirm that no further action is required, or g) The Adjudicator may refer the matter for a full Disciplinary Hearing which shall be convened as soon as practicable. Level 3 or 4 complaints will automatically be subject to a full Disciplinary Hearing which will be carried out by an independent Regional Disciplinary Panel.

h) The Adjudicator's decision will be communicated to the Respondent (and, where the Respondent is a Participant, the Participant's Club) in writing.

Any further reports requested by the Disciplinary Officer should be sent to him within 48 hours of being contacted. A fine of £50 per week, or part thereof, will be levied against a Club or Player for failing to comply with these provisions. Further points deductions may also be applied to the club.

7.6 Any match bans imposed by the club under paragraph 7.3 above shall be advised in writing to the relevant club's County Board by the Disciplinary Officer (See 8.6). Players should understand that match bans will normally apply to all cricket played under the auspices of ECB during the period of the ban.

7.7 If the Disciplinary Officer decides that the matter requires a Hearing, the following shall also apply (at local level depending upon the nature of the breach):

a) For Level 1 and Level 2 breaches which require a hearing, the Discipline Officer may select a Disciplinary Panel from within his own County League or he may choose to appoint an independent Regional Panel. At local level, the hearing shall be conducted by a Disciplinary Panel which shall consist of a Disciplinary Panel Chair and two further members drawn from a list approved by the League's Management Committee. No panel members should be connected with the participant, the club or their opponents at the time of the alleged breach, or a club which might directly benefit from any disciplinary action.

b) For a Regional hearing, (in respect of Level 3 and Level 4 breaches) the Disciplinary Officer will appoint a Disciplinary Panel Chair and two further Disciplinary Panel members chosen from the Regional Disciplinary Panel list. To maintain independence, panel members may not be selected if they have an association with the County League where the respondent or Club are playing.

c) The Disciplinary Officer will confirm to the Respondent (either in the Charge Letter or separately) the identity of the Disciplinary Panel members, where and when the Hearing shall take place and, if the Hearing will take place virtually rather than in person, by what means. If the Respondent is unable to attend a Hearing at that date or time, the Disciplinary Officer will attempt to reschedule the Hearing (once).

d) In appropriate circumstances, including if the Respondent is not contesting the charge or does not wish to attend a Hearing, the Disciplinary Panel Chair may direct that the charge be considered by the Disciplinary Panel by way of written submissions only (i.e. without a Hearing) provided that a Hearing must be arranged if this is requested by the Respondent.

e) If the Respondent objects to any member of the Disciplinary Panel on the basis of a conflict of interest, it will be resolved by the Disciplinary Panel Chair unless the potential conflict has been raised in respect of the Disciplinary Panel Chair in which case the Disciplinary Officer will consider whether



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to appoint an alternative Disciplinary Panel Chair to consider the conflict of interest and/or be appointed to the Disciplinary Panel.

f) The Disciplinary Panel Chair will set the Respondent a reasonable timeframe (7 days unless exceptional circumstances apply) to respond to the Charge Letter in writing and set any other directions for the exchange of information and/or evidence (which may include witness statements) that the Disciplinary Panel Chair considers appropriate.

g) In exceptional circumstances, the Adjudicator or Disciplinary Panel Chair may suspend a Participant from participating in cricket until the Hearing has concluded. If so, the Adjudicator or Disciplinary Panel Chair will give the Participant the opportunity to give written submissions on why it would not be appropriate to suspend the Participant and consider those submissions before making any decision. Any suspension which has been ordered will be taken into account by the Adjudicator or Disciplinary Panel when considering what sanctions to impose in accordance with these Regulations.

h) All parties to the Hearing will have the right to:

i) Submit written statements ahead of the Hearing.

ii) Be accompanied

iii) Present their account of the relevant conduct.

iv) To be legally represented (this action should not be used as a delaying tactic) or supported by a colleague.

v) Call witnesses

If the player or club is to have representation present at the hearing then the details of that representation must be given to the Disciplinary Officer not less than 48 hours before the date of the hearing. Witnesses should not be present in the room at the outset but should be called in individually to give their evidence at the appropriate time. (Ideally, a separate waiting area should be provided for each party). The standard of proof shall be on the balance of probabilities rather than the criminal standard of beyond reasonable doubt. If, during the course of the Hearing, further information/evidence comes to light which proves that a player/players, Officers or Club Officials (other than those already charged formally) have acted in a manner which has breached the Regulations, the Disciplinary Panel reserves the right to invoke appropriate sanctions in line with those set out in Section 8 of the Regulations.

At the end of any Hearing, the Disciplinary Panel will consider the charge (in private) and determine whether, on the balance of probabilities, there has been a breach of these Regulations. Any decision of the Disciplinary Panel will be taken by majority vote, with the Disciplinary Panel Chair having a casting vote in the event of a tie.

If the Disciplinary Panel decides that there has been a breach of these Regulations, it will impose a sanction in accordance with the sanction guidelines. Unless the Disciplinary Panel directs otherwise, the parties will bear their own costs of preparing for and attending a Hearing. If possible, the Disciplinary Panel's decision will be given to the parties at the end of the hearing. If not, the decision will be confirmed in writing following the Hearing. Where the Respondent is a Participant, the Participant's Club will also be informed.

An appropriate Administration charge will be levied to cover the costs of the Hearing. This will be a minimum of £150 for a participant or £250 for a Club and is likely to increase in order to cover expenses incurred by panel members.



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## 8. Sanction Guidelines

8.1. If a breach of the Regulations is proved, the Disciplinary Panel shall have the power to impose one or more of the following penalties, together with such order as to costs as it deems appropriate:

### In the case of a player:

- a) To require the player to submit appropriate letter(s) of apology within a specified time
- b) To record a reprimand and to give a warning as to future conduct
- c) To impose a fine, not to exceed £500
- d) To suspend the player for one or more matches, or for a stated period of time. In the case of an ECB registered player (registered with a First Class County) no more than 5 days or matches may be levied.
- e) To deduct League points from the player's team
- f) To expel the player from the League.

### In the case of a player under the age of 18 years:

The County Board Safeguarding Officer will, immediately be informed. In such circumstances, the incident may be regarded as:

- (i) A welfare and child protection case or
- (ii) An outright disciplinary case.

If the incident is being investigated by another organisation (e.g. the Police, ECB Safeguarding Department etc.) the League will await the outcome of the investigation before considering the matter.

### In the case of a club:

- a) To require the club to submit appropriate letter(s) of apology within a specified time
- b) To record a reprimand and to give a warning as to future conduct
- c) To impose a fine of no more than £500
- d) To deduct League points from the club's team for each match that one of their players is banned from playing. (up to 5 points per match)
- e) To suspend a team captain if he fails to control his players after warnings
- f) To expel the club from any competition of the League.
- g) To relegate to any lower division of the League.

### In the case of any other Participant:

- a) To require the Participant to submit appropriate letter(s) of apology within a specified time;
- b) To record a reprimand and to give a warning as to future conduct;
- c) To impose a fine of no more than £500;
- d) To suspend the Participant for one or more specified matches and/or for a stated period of time;
- e) To deduct League points from the Participant's team; and



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f) To expel the Participant from the League

Unless the Adjudicator or Disciplinary Panel stipulate otherwise, bans shall apply to all cricket, be effective immediately and remain on the Participant's record for 24 calendar months from the date of the breach. The Adjudicator or Disciplinary Panel shall determine whether, and to what extent, to depart from the standard sanctions and/or to impose additional penalties as they deem fit. Penalties may be stated in terms of weeks with a start and end date. The start date would normally be a Friday at midnight. All fees and fines must be paid in full by the Participant or the Club before the participant may resume playing.

8.2 The Adjudicator or Disciplinary Panel shall give consideration to the following aggravating and mitigating factors, as appropriate, to include but not limited to:

## **Aggravating Factors**

- (a) The ages of the Participant and any victim at the time of the offence, particularly where the victim was a minor and the Participant was not.
- (b) The profile of the Participant, including whether they hold a position of responsibility within their Club (e.g., Club captain, Chair or member of senior management).
- (c) Poor previous disciplinary record.
- (d) Failure to cooperate with the Disciplinary Officer and/or Relevant Disciplinary Body.
- (e) Any attempt to conceal the breach.
- (f) The extent of any premeditation or planning.
- (g) The level of harm and/or distress incurred.
- (h) The public nature of the offence (such as commission of the offence in a public place, via broadcast media or a social media platform).
- (i) Use of discriminatory language or conduct, or any other behaviour that breaches the ECB's Anti-Discrimination Code, whilst also carrying out a separate offence under the Regulations.

## **Mitigating Factors**

- (a) Good previous disciplinary record.
- (b) The age of the Participant at the time of the offence.
- (c) Admission at the earliest opportunity, where the factual conduct forming the basis of the charge would be capable of being disputed.
- (d) Demonstration of genuine remorse.
- (e) Co-operation with the Disciplinary Officer and/or Relevant Disciplinary Body.
- (f) Inexperience of the Participant by reference to their age or background at the time of the offence.
- (g) In respect of social media posts, the age of the post and the Participant's age at the time of the post.





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The table below sets out recommended sanctions. The Adjudicator or Discipline Panel may vary these sanctions, if appropriate, following consideration of the aggravating and mitigating factors and the circumstances of the case.

Level of breach	First breach	Second breach (within 24 months)	Third breach (within 24 months)
<b>First and final warning</b>	Team Warning	1 week ban for a named player	2 week ban for a named player
<b>Level 1</b>	1 week ban	2 week ban	3 week ban
<b>Level 2</b>	2 week ban	4 week ban	12 week ban
<b>Level 3</b>	6 week ban	12 week ban	24 week ban
<b>Level 4</b>	10 week ban	20 week ban	40 week ban

8.3. Where applicable, penalties will be carried over to apply in the following season.

8.4. Where the complaint is not referred to a Hearing, repeated infringements, listed on umpires reports, by an individual player or by a club may still result in additional penalties. Repeated Breaches of Discipline (Appendix 1)

8.5. In addition, where an individual behaves inappropriately or fails to respect the formality at any level during a Hearing, the Disciplinary Panel assumes the right to impose further corrective actions or penalties as it sees fit. Alternatively, the Panel may choose to deal with the incident by having a separate hearing.

8.6. The League shall report match bans in writing to the relevant club’s County Board, who will also inform the ECB, and other local leagues in accordance with the following conditions

- i) Information about penalties imposed under these regulations shall be shared with individuals at the club and County Board on a need to know basis, for example with individuals who need to be informed in order to give effect to the penalty;
- ii) Information about match bans held by the County Board shall be shared with other clubs only for the purposes of ensuring recognition of penalties by other clubs; and
- iii) Individuals subject to these discipline regulations must be made aware by their clubs that by playing in matches under the jurisdiction of the ECB, they agree that information about penalties imposed on them will be shared with the County Boards, ECB and other clubs in accordance with these discipline regulations.

## 9. Appeals

9.1. Appeals shall only be allowed against an automatic suspension instigated for a Level 1 or 2 offence (as reported by a Panel Umpire) on the grounds of mistaken identity or misrepresentation (and should be received by the Disciplinary Officer within 72 hours of the completion of the match.)

9.2. Any decision made by an Adjudicator or a Disciplinary Panel may be appealed by the Respondent. In order to commence an appeal, the Appellant shall submit:

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(a) a Notice of Appeal setting out the grounds; and

(b) a fee to cover the standard administrative costs of the Appeal Panel; to the Disciplinary Officer of the Appeal Body or the League Administrator within 7 days of receipt of the decision in writing.

Fees:

The fee for an appeal against an automatic suspension (mistaken identity or misrepresentation only) or Level 1 or Level 2 breach of conduct is £50 for a participant or £100 for a Club of which £25 is non-refundable. The fee for an appeal against a decision made at a hearing by the Disciplinary Panel is £150 for a participant and £250 if the appeal is by a club. (£100 of each fee is non-refundable). The fees must be paid before any Appeal is heard. The Appeals Panel also reserves the right to make an additional costs order against the appellant to cover exceptional expenses arising from the appointment of legal advisors or independent panel members from another County or similar.

9.3 The Notice of Appeal must contain at least one of the following grounds of appeal:

(a) the decision of the Adjudicator or Disciplinary Panel came to a decision to which no reasonable body could have come.

(b) there was a serious procedural irregularity, which includes the Disciplinary Adjudicator or Disciplinary Panel not following the procedure set out in these Regulations, in a way which significantly impacted the rights of the Appellant;

(c) there is fresh evidence (in which case the Notice of Appeal must state why the evidence could not be presented at the original Hearing); and/or

(d) the sanction was manifestly excessive.

9.4 The Disciplinary Officer of the Appeal Body will determine whether the Notice of Appeal identifies sufficient grounds for an appeal and will notify the parties (and, where the Respondent is a Participant, the Participant's Club) and the Disciplinary Officer of the Relevant Disciplinary Body accordingly in writing. This decision of the Disciplinary Officer of the Appeal Body will be final.

9.5. If there are sufficient grounds for an appeal, the Disciplinary Officer will appoint an Appeal Panel Chair and an Appeal Panel and arrange an Appeal Hearing. No individual who was appointed as the Adjudicator or as a member of the original Disciplinary Panel or who has otherwise been involved in the case shall be appointed to the Appeal Panel. The Disciplinary Officer will confirm to the Appellant the identity of the Appeal Panel members, where and when the Appeal Hearing shall take place (within a reasonable timeframe) and, if the Appeal Hearing will take place virtually rather than in person, by what means. If the Appellant is unable to attend a Hearing at that date or time, the Disciplinary Officer will attempt to reschedule the Hearing (once).

9.6 Unless otherwise determined by the Appeal Panel Chair, any sanction imposed by an Adjudicator or Disciplinary Panel will not come into effect until the Appeal has been determined. If a Participant has been suspended from participating in cricket by a Disciplinary Panel and the Appeal Panel Chair considers that it may be appropriate for this sanction to be imposed before the Appeal has been determined, they will give the Participant the opportunity to give written submissions on why it would not be appropriate to suspend the Participant and consider those submissions before making any decision.

9.7 If the Respondent objects to any member of the Appeal Panel on the basis of a conflict of interest, it will be resolved by the Appeal Panel Chair unless the potential conflict has been raised in respect of the Appeal Panel Chair in which case the Disciplinary Officer will consider whether to appoint an alternative Appeal Panel Chair to consider the conflict of interest and/or be appointed to the Appeal Panel.



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9.8 Unless the appeal is brought under Regulation 9.3(c), the Appellant has no right to a complete rehearing of the case and the Appeal Panel will instead consider whether the grounds of appeal have been made out. If an appeal is brought under Regulation 9.3(c), if the Appeal Panel determines that the fresh evidence is admissible the Appeal Panel shall re-hear the case in full. If the participant is to have legal representation present at the hearing then the details of that representation must be given to the Administrator or Discipline Officer not less than seven days before the date of the hearing.

9.9 At the end of the Appeal Hearing, the Appeal Panel will consider the Appeal (in private) and determine whether, on the balance of probabilities, the Appeal should be allowed (in whole or in part). Any decision of the Appeal Panel will be taken by majority vote, with the Appeal Panel Chair having a casting vote in the event of a tie.

9.10 If the Appeal is allowed (in whole or in part), the Appeal Panel may disapply the sanction imposed by the Adjudicator or Disciplinary Panel or issue a new sanction in accordance with the sanctions guidelines. If the Appeal is dismissed, the sanction imposed by the Adjudicator or Disciplinary Panel will remain in place. The panel has the power to increase the penalty if it feels it necessary.

9.11 The Appeal Panel Chair will decide whether to make a costs order and whether the appeal fee will be refunded to the Appellant in the event of a successful appeal. Any costs ordered by the Appeal Panel will be limited to £250 (which shall be paid on top of the appeal fee referred to in Regulation

9.12 Non-attendance at a hearing of the Appeals Panel by the participant without good and valid reason for such non-attendance will automatically result in forfeiture of their right of appeal.

9.13 The Appeal Panel's decision will also be confirmed to the parties (and, where a Participant is a party to the Appeal, the Participant's Club) in writing following the Hearing. Where the Appeals Body is a League, decisions of the Appeal Panel must also be provided to the Disciplinary Officer of the relevant County Cricket Board to which the League is affiliated.

9.14 Any decision of an Appeal Panel is final and binding and there is no further right of appeal.

## 10. Non Payment of Fines

10.1. Any fine levied under these procedures or imposed for the breach of any match rule must be paid to the Treasurer of the League within 28 days of the Club being notified of such fine.

10.2. Any fines still outstanding at the end of that period shall be increased by 100% of the original fine, when the Secretary or Chairman of the offending Club shall be notified to the effect that the fine is outstanding. They will be given a reminder that if after a period of 14 days from that reminder, the fine is still outstanding, in addition, a further deduction of 5 points shall be made from the points gained by the side that received the fine. (Or, if the fine is not arising from a particular team, the club's 1st XI will be deducted 5 points.)

## 11. Mutual Recognition of Penalties

11.1 The League and clubs shall mutually recognise and give full effect to any penalty imposed by the Disciplinary and Appeal Panels of the Leagues.

11.2 The League and clubs shall recognise and give effect to penalties imposed pursuant to any disciplinary or relevant regulations of all competitions under the auspices of all County Cricket Boards.



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11.3 The League and clubs shall mutually recognise and give full effect to any disciplinary penalty imposed by the following competitions, which shall also be recognised competitions: ECB National Club Championship, ECB National Club T20 Competition, Unicorns Championship and Unicorns K.O. Trophy.

11.4 For the purposes of this paragraph, a Participant may not play in matches under the auspices of the League whilst serving a suspension given by any other of the Leagues or a recognised competition. For the avoidance of doubt, in the event any other of the Leagues or a recognised competition suspends a player for a consecutive number of matches or for a period of time, that player may not play in any matches under the auspices of the League until that suspension has been served.

11.5 In order to give effect to the mutual recognition of penalties between the Leagues and Recognised Competitions, the League may report and receive information in regard to penalties imposed upon Participants pursuant to the Disciplinary Regulations to and from the ECB and recognised competitions. Information will be shared about the penalties imposed on Participants on a 'need-to-know' basis with such Participants and other persons/bodies as are necessary to give effect to the penalty.

## 12. Data Protection

Each Participant (and any other person whose personal data are obtained) must be provided with a privacy notice from the League that explains the collection, processing, disclosure and use of information relating to the particular individual and their activities in connection with these Regulations and particularly for the conduct of any applicable disciplinary procedures and any associated issuing and recognition of penalties. The Privacy Notice will be provided to the Participant (and, if applicable, each other person whose personal data are obtained) either at the point each individual's personal data are obtained, or, if the personal data are not obtained from the individual themselves, when the relevant Participant is notified of any allegation made against them. The UK GDPR and the Data Protection Act 2018 are the primary data protection legislation in the United Kingdom. The League will comply with data protection law when processing personal data. Each Participant shall be deemed to have agreed, for the purposes of the Data Protection Act 2018, General Data Protection Regulations (UK GDPR) and otherwise, that their personal data may be processed and disclosed in accordance with, and for the purposes of the implementation of, the Regulations.

## 13. Confidentiality

13.1 All disciplinary proceedings which take place under the Regulations shall be confidential and shall take place in private.

13.2 The Leagues and the ECB shall have the right to publish any written decision of a Disciplinary Panel or Appeal Panel, including (but not necessarily limited to) publication on their websites, and Participants.



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## APPENDIX 1 - REPEATED BREACHES OF DISCIPLINE.

A1.1 Any player who is named as the cause of a team “first and final warning” on two occasions within 24 months shall be suspended by his club for the next League match. Any player who named on a third occasion within 24 months, shall be suspended by his club for the next two (2) league matches. The secretary of that club, or his deputy, will, by the Wednesday following the match involving the second or third breach shall inform the Disciplinary Officer of any further action taken by the club. Each subsequent naming, during a 24 month period, will carry a further two (2) match suspension.

A1.2 Where the same player of a club is reported, on more than one occasion during the same season, that club shall have five (5) league points deducted, on the second, and each subsequent occasion, the player is the subject of report. This includes first and final warnings.

A1.3. Any individual club having three (3) or more players reported in any one season shall have ten (10) league points deducted. This includes first and final warnings. Club officials will be invited to a Disciplinary Hearing to discuss behaviour at their Club and any remedial action required. Taking into account captains’ responsibilities, repeated infringements by a team are likely to result in the captain being held responsible for the conduct of his team (whether or not individual players are also identified for disciplinary action) and being called before a Hearing. The penalties available include suspension. When issuing the penalty, the Disciplinary Panel may take account of instances of poor team discipline in previous years, particularly where the on-the-field captain is the same. Clubs shall ensure that captains understand their responsibility for the “on the field” behaviour of themselves and their team members. If suspension is the penalty, this will normally take effect immediately.