

CHERWELL CRICKET LEAGUE DISCIPLINARY REGULATIONS 2019

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APPENDIX 1 – BREACHES OF DISCIPLINE

1. AIMS AND JURISDICTION

1.1. The England & Wales Cricket Board (ECB) is committed to maintaining the highest standards of behaviour and conduct. The Cherwell Cricket League (henceforth identified in this document as The League) operating within the jurisdiction of the ECB, take this commitment very seriously.

1.2. To this end, these discipline regulations, incorporating major parts of the ECB Model Code of Conduct and The Spirit of Cricket, have been adopted by The League.

1.3. The regulations shall be complied with by all those who participate under the jurisdiction of the League's Management Committee. The regulations shall apply to any player at any club, at any level, under the auspices of the League.

1.4. The regulations are intended to provide assistance and uniformity to all clubs in dealing with any alleged breach of the Code of Conduct and The Spirit of Cricket and are aligned to ECB Non-First Class procedures.

1.5. Any club which fails to take all reasonable steps to ensure the proper conduct of its players, officials, members and/or spectator in all matters for which the club or its committee is responsible, or acts in any way which is prejudicial or detrimental to the interests or reputation of the League, breaches this Code of Conduct.

1.6. There is nothing in this Code preventing or discouraging clubs from applying additional or stronger sanctions against offenders than those appearing within the Code, 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. For the purposes of these regulations, the expression 'player' shall throughout this document be deemed to mean and include not only any player but also any member, official or spectator of any club in any incident of alleged misconduct occurring on any part of a cricket ground or building and not merely the field of play.

2. CODE OF CONDUCT AND SPIRIT OF CRICKET

2.1. Code of Conduct

2.1.1. The League is committed to maintaining the highest standards of behaviour and conduct at cricket matches both on and off the field. All clubs and players, by virtue of their registration with the League, explicitly agree to abide by this Code of Conduct, which incorporates the Spirit of Cricket, and are bound by the provisions in these Regulations.

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

2.1.3. Players and club officials must at all times accept the umpire's decision. Players and club officials must not show dissent at the umpire's decision or react in a provocative or disapproving manner towards another player or a spectator.

2.1.4. Players and club officials shall not intimidate assault or attempt to intimidate or assault an umpire, another player, a club official or a spectator.

2.1.5. 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.

2.1.6. Players and club officials shall not use language or gestures that offend, insult, humiliate, intimidate, threaten, disparage or vilify another person on the basis of that person’s race, religion, sexual orientation, colour, descent or national or ethnic origin.

2.1.7. Players and club officials shall not use or in any way be concerned in the use or distribution of illegal drugs.

2.1.8. Players and club officials shall not make any public or media comment which is detrimental to the League, clubs, umpires, fellow players or the game in general. In this instance, media shall include press, radio, television, external websites, **club websites, social networking sites** and club match programmes.

2.1.9. Players and club officials shall not disclose or comment upon any alleged breach of this Code.

2.1.10. Clubs must take adequate steps to ensure the good behaviour of their players, officials, members and spectators.

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.

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

Responsibility of Captains Law 1.4 *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 Law 42 *In the event of any player failing to comply with 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. Players

Captains and umpires together set the tone for the conduct of a cricket match. Every player is expected to make an important contribution to this.

2.2.3. Fair and Unfair Play

According to the Laws the umpires are the sole judges of fair and unfair play. The umpires may intervene at any time, and it is the responsibility of the captain to take action where required.

2.2.4. The umpires are authorised to intervene in cases of:

Time wasting

Damaging the pitch

Dangerous or unfair bowling

Tampering with the ball

Any other action that they consider to be unfair

2.2.5. The Spirit of the Game involves RESPECT for:

Your opponents

Your own captain and team

The role of the umpires

The game's traditional values

2.2.6. It is against the Spirit of the Game:

To dispute an umpire's decision by word, action or gesture

To direct abusive language towards an opponent or umpire

To indulge in cheating or any sharp practice, for instance:

- Appeal knowing the batsman is not out
- Advance towards an umpire in an aggressive manner when appealing
- Seek to distract an opponent either verbally or by harassment

2.2.7. Violence

There is no place for any act of violence on the field of play.

2.3. Failure to comply with the provisions of the Code of Conduct may lead to disciplinary action, irrespective of a proven breach being related to a match not under the jurisdiction of the League.

3. BREACHES

3.1. A breach of the disciplinary regulations occurs when:-

a. Any player in the course of, or in connection with a match, offends against the Code of Conduct or acts at any time to prejudice the good name or interests of the League

b. Any club fails to properly control or discipline its players, officials and spectators or acts in a manner prejudicial to the good name or interests of the League.

3.2. Any player or club committing such a breach shall be liable to penalties in the manner prescribed in this document.

3.3. A breach of the Code of Conduct will normally be categorised as Level 1, 2, 3 or 4, as set out in Appendix 1.

3.4. Reporting of Breaches

3.4.1. For a first offence of a Level 1 breach of the Code of Conduct in a match, the umpire(s) should warn the player as to his future conduct and advise him and his captain that any repetition in the match will result in a formal report.

3.4.2. If any player receiving such a warning 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.

3.4.3. 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.

3.4.4. In all instances of any perceived Level 2, 3 or 4 breach, the umpire(s) must complete a formal report.

3.4.5. All reports should be submitted using the relevant standard discipline report form.

4. PROCEDURE

4.1. Notification that a report is to be submitted following any alleged breach of the Code of Conduct must first be advised, by the umpire(s), to the player and his captain or an executive of the player's club, on the day of the alleged offence, prior to leaving the ground.

4.2. Any such alleged breach of the Code of Conduct subject to a report (to be known as 'a complaint') will then be notified by telephone and written report by the complainant to the Umpires' Secretary (or his nominated deputy) **within 24 hours** of the end of the match. The Umpires' Secretary will inform the Disciplinary Chairman (or his nominated deputy) and they will agree the level of the breach of discipline along with the appropriate penalty. In the case of **Level 1** and **Level 2** breaches, this shall, **as a minimum**, be a two match (Level 1) or three match (Level 2) ban to be effective immediately. Part or all of any ban may be suspended.

Any Level of complaint may be subject to a full Disciplinary Hearing, however **Level 3** or **4** complaints will **automatically** be subject to a full Disciplinary Hearing.

4.3. The Disciplinary Chairman or his nominated deputy shall, as soon as reasonably practicable, inform the Secretary of the club against whom the complaint has been made and the penalty imposed.

4.4. The participant's club may impose their own penalty and in this case they shall notify the Discipline Chairman within 48 hours of receipt of the complaint. This will be taken into account in any decisions reached on the penalty and may lead to a review of the original penalty.

4.5. The Disciplinary Chairman will record the complaint and penalty and these will be held on the League's file.

4.6. Any match bans imposed by the League and/or club under paragraphs 4.2 and 4.4. above shall be advised in writing to the relevant club's County Board. **Players should understand that match bans will normally apply to all cricket played under the auspices of ECB.**

4.7. In the case of an incident involving a player under the age of 18 years old, the League's and County Board Welfare Officers will immediately be informed. In such circumstances, the incident may be regarded as: a. A welfare and child protection case or b. An outright disciplinary case. If the incident is being investigated by another organisation (e.g. the Police, ECB Welfare Department, County Board Welfare Department etc.) the League will await the outcome of that investigation.

5. DISCIPLINARY HEARINGS

5.1. In any case which is referred for a Disciplinary Hearing, the Disciplinary Chairman shall convene the hearing within 14 days of the decision to refer. Any delay may only be granted at the discretion of the Chairman of the Disciplinary Hearing.

5.2. Where a charge against a player and/or club is referred to a disciplinary hearing, the captain and club may be charged separately under their responsibilities as set out in the Code of Conduct above.

5.3. At least seven days' notice in writing of the hearing shall be given to the player via his club Secretary. In the case of a club, its Secretary shall be so notified. The notice shall specify the alleged breach(es) of the Code of Conduct above.

5.4. The accused player or club shall be entitled:

- To submit written statements ahead of the hearing
- To attend the hearing
- To state his case (in the case of a club, by its Secretary or other official)
- To be supported by a colleague and to call witnesses.

5.5. 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 Chairman not less than 48 hours before the date of the hearing.

5.6. The Hearing shall be conducted by a Disciplinary Panel appointed by the Disciplinary Chairman and shall consist of not less than three persons and not more than five persons. None of the Panel should be connected with the player, the club or their opponents at the time of the alleged breach, or a club which might directly benefit from any disciplinary action.

5.7. A club or player involved in disciplinary proceedings will be solely responsible for meeting such costs or expenses as it or they may incur, including the cost of any legal or other representation.

5.8. The standard of proof shall be on the balance of probabilities rather than the criminal standard of beyond reasonable doubt.

6. PENALTIES

6.1. As a guideline, the following penalty bans should be expected to be imposed for any complaint, including those proved at a disciplinary hearing:-

Level 1	2 to 6 matches
Level 2	3 to 8 matches
Level 3	4 to 10 matches
Level 4	A minimum of 10 matches

Matches played under the auspices of ECB.

Any number of the matches may be suspended.

All penalties will include a warning as to further conduct and may require the player to submit appropriate letter(s) of apology within a specified time.

The number of matches refers to the weeks in which Cherwell Cricket League matches are played. Matches played in other competitions during that period (even if under the auspices of the ECB) do not count towards the total of banned matches.

6.2. Where applicable, penalties will be carried over to apply in the following season including any suspended penalties.

6.3. Where the complaint is not referred to a Disciplinary Hearing, repeated infringements, listed on umpires' reports and on record with the League, by an individual player or by a Club may still result in additional penalties as laid out in 6.4 below.

6.4. If at a hearing a breach of the Code of Conduct 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:-

- To require the player to submit appropriate letter(s) of apology within a specified time
- To record a reprimand and to give a warning as to future conduct
- To impose a fine
- To suspend the player for one or more matches, or for a stated period of time
- To deduct League points from the player's team
- To expel the player from the League

In the case of a club:-

- To require the club to submit appropriate letter(s) of apology within a specified time
- To record a reprimand and to give a warning as to future conduct
- To impose a fine
- To deduct League points from the club's team
- To expel the club from any competition of the league
- To relegate to any lower division of the League or to a 'linked' league

6.5. The following factors into account when determining the penalties to be imposed:

- a. If the accused player/club has pleaded guilty
- b. The player's previous disciplinary record
- c. If the player is also the captain
- d. The conduct of the player subsequent to him being warned and told that he will be reported
- e. If an appeal is considered to be spurious

6.6. In addition, where an individual behaves inappropriately or fail to respect the formality at any level during a Disciplinary hearing, the Disciplinary Panel assumes the right to impose further corrective actions or penalties as it sees fit.

6.6.1 Where a representative and/or witness(es) behaves inappropriately or fails to respect the formality at any level during a Disciplinary hearing this can be dealt with under the code by having a separate hearing.

6.7. The Disciplinary Panel shall have the power to suspend the operation of any part, or all, of the penalty it imposes for such period and subject to such terms and conditions it deems appropriate.

6.8. Decisions of the Disciplinary Panel (a finding that a complaint is proved or not proved or a decision on penalty) shall be by majority vote; where necessary the Disciplinary Panel Chairman shall have a casting vote.

6.9. The League shall report match bans in writing to the relevant club's County Board for national circulation. Players should understand that match bans will normally apply to all cricket played under the auspices of ECB – for clarification see 6.1 above.

The Cherwell Cricket League will also recognise suspensions from other Leagues.

7. APPEALS

7.1. Appeals shall only be allowed against an automatic ban/penalty instigated for a Level 1 or 2 offence on the grounds of mistaken identity, misrepresentation or failure of the umpires to follow the procedures in Paragraph 4 above.

7.2. Where a breach of the Code of Conduct has been proved at a Disciplinary Hearing, a player or club shall have the right of appeal. Where a player and his club are appealing in relation to the same incident, they must do so separately.

7.3. A notice of appeal setting out the grounds must be given in writing to the Disciplinary Chairman within seven days of the decision of the Disciplinary Panel, together with a deposit of £50 for an appeal by a player or by a club.

7.4. If a notice of appeal is given, the penalty shall not take effect pending the hearing of the Appeal, which shall take place as soon as is practicable and in any event within 14 days of receipt of notice of the appeal.

7.5. The Appeal shall be by way of a new hearing before a different Panel. The Appeal Panel shall be appointed by the Disciplinary Chairman and shall consist of not less than three persons and not more than five persons. None of the Panel should be connected with the individual or the club or their opponents, or a club which might directly benefit from any disciplinary action or have been a member of the original Disciplinary Panel.

7.6. The player or club shall have the same entitlements as set out in Paragraph 5.4 above.

7.7. 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 Chairman not less than 7 days before the date of the hearing.

7.8. Non-attendance at a hearing of the Appeals Panel by the club or person that submitted the appeal without good and valid reason for such non-attendance will automatically result in forfeiture of their right of appeal.

7.9. The Appeals Panel may confirm, vary or reverse the decision of the Disciplinary Panel and it shall have the power to increase the penalty and award costs of the Appeal hearing and forfeit the whole or part of the deposit. Decisions of the Appeal Panel shall be by majority vote; where necessary, the Chairman shall have a casting vote.

7.10. The decision of the Appeals Panel or, if no appeal, of the Disciplinary Panel, shall be final and binding.

8. NON PAYMENT OF FINES

8.1. 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 twenty-eight days of the Club being notified of such fine.

8.2. 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 fourteen days from that reminder, the fine is still outstanding, a deduction of five points shall be made from the points gained by the side that received the fine.

APPENDIX 1 – BREACHES OF DISCIPLINE

Certain conduct, whether on or off the field of play of play, amounting to a breach of the Laws of Cricket and/or the Spirit of Cricket has been categorised into 4 levels which are set out below. ***It should be noted these are guidelines only:-***

Level 1

- a) wilfully mistreating any part of the cricket ground, 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

Level 2

- a) showing serious dissent at an umpire's decision by word or action
- b) making inappropriate and deliberate physical contact between players in the course of play
- c) deliberate and malicious distraction or obstruction on the field of play, regardless as to whether such conduct is deemed to be fair under the Laws of Cricket
- d) throwing the ball at or near a player, umpire or official in an inappropriate and dangerous manner
- e) using language or gesture to another player, umpire, team/club official or spectator that, in the circumstances, is obscene or of a serious insulting nature
- f) changing the condition of the ball other than as permitted by the Laws of Cricket
- g) the bowling of fast short pitched balls that result in the bowler being disallowed from bowling further in that innings
- h) causing avoidable damage to the pitch contrary to the Laws of Cricket that results in a five-run penalty being awarded

Level 3

- a) intimidating an umpire by language or gesture
- b) threatening to assault another player, team/club official or spectator
- c) using language or gesture that offend, insult, humiliate, intimidate, threaten, disparage or vilify another person on the basis of that person's race, religion, sexual orientation, colour, descent or national or ethnic origin
- d) the deliberate bowling of any high full-pitched ball contrary to the Laws of Cricket

Level 4

- a) threatening to assault an umpire and/or making inappropriate and deliberate physical contact with an umpire
- b) physical assault of another player or any other person
- c) committing any other act of violence on the field of play
- d) using language or gestures that seriously offend, insult, humiliate, intimidate, threaten, disparage or vilify another person on the basis of that person's religion, sexual orientation, colour, descent or national or ethnic origin.

The conduct listed in Level 1 to Level 4 above cannot be considered to be exhaustive.