

**WORCESTERSHIRE COUNTY LEAGUE
DISCIPLINARY REGULATIONS and PROCEDURES
(Based upon ECB Model Discipline Regulations)**

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1. Aims and Jurisdiction

- 1.1. The England & Wales Cricket Board (ECB) is committed to maintaining the highest standards of behaviour and conduct. The Worcestershire County League (the League) operating within the jurisdiction of the ECB, takes this commitment very seriously.
- 1.2. These discipline regulations, incorporating major parts of the ECB Model Discipline Regulations including Code of Conduct and The Spirit of Cricket, have been adopted by all Premier Leagues and many Feeder Leagues in order to provide guidance and ensure uniformity in dealing with any alleged breach in the Code of Conduct and Spirit of Cricket.
- 1.3. The Disciplinary Regulations shall be complied with by all those who participate in the League including players, clubs, club officials, club members and any other person or body who is from time to time engaged in cricket related activities under the auspices of the League (participants). For the purposes of this document, “players” shall be deemed to include all other participants if the context so requires. The scope of these Regulations covers incidents occurring on any part of the cricket ground or buildings and not merely the field of play.
- 1.4. Subject to the mutual recognition provisions (Paragraph 9) the League shall be responsible for the enforcement and administration of the Disciplinary Regulations in relation to all participants. By virtue of their registration with the League and/or participation in cricket related activities under the auspices of the League, all participants agree to be bound by the Disciplinary Regulations.
- 1.5. All Participants are required to co-operate with the League with regard to discipline. Without prejudice to the generality of this requirement, every club shall take all reasonable steps to ensure the proper conduct of its Participants in accordance with the Discipline Regulations and shall not act in any way which is prejudicial or detrimental to the interests or reputation of the League or the game of cricket.
- 1.6. There is nothing in the Disciplinary Regulations preventing or discouraging clubs from applying additional or stronger penalties with regard to the Code of Conduct beyond those appearing within these 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 Disciplinary Regulations is to maintain the highest standards of behaviour and conduct in the game of cricket. The procedures detailed in the Disciplinary

Regulations are intended to be fair, straightforward and proportionate to the needs of the League and Participants, respecting fundamental principles of natural justice and fairness but recognising that those involved with the procedures will not typically be, and do not need to be, legally qualified. Therefore, as long as the principles of natural justice and fairness are not infringed, minor practical or technical points will not serve to invalidate the procedure or any decisions or findings under the Disciplinary Regulations.

- 1.8. In the event that any incident or other matter occurs which is not provided for by the Disciplinary Regulations (whether it relates to conduct, jurisdiction, procedure or penalty), then the Chairman of the League's Discipline Committee or his nominated deputy or the League's Disciplinary/Appeal Panel may take such action as considered appropriate in the circumstances, taking into account the specific circumstances and the principles of natural justice and fairness.
- 1.9. In the event that any alleged breach of the Code of Conduct falls under any other relevant ECB regulations (as may from time to time be in force), such as the ECB Safeguarding Complaints and Disciplinary Procedure, or is subject to investigation by the police or other public authority (or analogous body), or is subject to any other legal/regulatory process, the Administrator or the League's Disciplinary/Appeal Panel may stay the procedure under the Disciplinary Regulations.

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 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:**

- i) Time wasting
- ii) Damaging the pitch
- iii) Dangerous or unfair bowling
- iv) Damaging the ball
- v) Distracting the batsman
- vi) Non striker leaving his ground early
- vii) 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 or similar/equivalent platforms), also fall to be determined in accordance with the factors above. In relation to such cases, it should be noted:

- i) Participants are to be considered responsible for any posting(s) on their social media account(s) which are caught by the factors detailed above, (the fact that a posting may have been made by someone else in the Participant's name will not necessarily prevent disciplinary action being taken).
 - ii) Disciplinary action may result from repeating comments made on social media by others, (e.g. 'retweeting'), which are caught by the factors detailed above.
 - iii) The deleting of any inappropriate content, whilst advisable, does not of itself prevent disciplinary action being taken.
- 2.3. Failure to comply with the provisions of the Code of Conduct may lead to disciplinary action, irrespective of an alleged breach being related to a match not under the jurisdiction of the League.

3. Breaches and Reporting Procedure

A breach of the disciplinary regulations occurs when:

- i) 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.
 - ii) Any club fails to properly control or discipline its players, officials, members or supporters or acts in a manner prejudicial to the good name or interests of the League.
- 3.1. Any participant in breach of the Code of Conduct shall be liable to penalties in the manner prescribed in these Disciplinary Regulations. In the event of any dispute in the interpretation of these regulations, the League Management Committee will have the final right to decide how they should operate.
- 3.2. A breach of the Code of Conduct will normally be categorised as Level 1, 2, 3 or 4, as set out in Appendix 1.
- 3.3. When an Umpire considers that the conduct of a player is unacceptable the following course of action should take place:
- i) The 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.

3.4. Reporting of Breaches (Umpires)

- 3.4.1. 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 and 5 penalty runs being awarded to the opposition. 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 Appendix 2 - Repeated Breaches of Discipline.
- 3.4.2. 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.
- 3.4.3. 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 and 5 penalty runs shall be awarded to the opposing team.

- 3.4.4. If any player commits a Level 2 offence in the match the umpire will follow paragraph 3.3 above and will immediately award 5 penalty runs to the opposition. He will signal the penalty to the scorers and will advise the captain that a written report is to be submitted to the League. Further breaches at any level will result in a further 5 penalty runs being awarded to the opposition.
- 3.4.5. If any player commits a Level 3 offence in the match the umpire will follow paragraph 3.3 above and will immediately direct the captain to remove the player from the field in accordance with the following:
- i) Suspension for 1/5 of allocated overs at the start of the innings (a part over counted as a full over)
 - ii) No substitute fielder is allowed for the suspended fielder
 - iii) If the suspended player is a batsman, he/she may only resume their innings at the fall of a wicket after serving the suspension. If no other batsman is available at the fall of a wicket during a suspension the innings will be deemed closed.
 - iv) Any overs remaining from a suspension are carried forward to the next innings (WLD).
 - v) Any balls remaining in an over (either at time of suspension or at the end of an innings) do not count towards a suspension.

After the removal of the player the umpire(s) will signal a Level 3 penalty to the scorers, award 5 penalty runs to the opposition and advise the captain that a written report is to be submitted to the League. Further breaches at any level will result in further 5 penalty runs being awarded to the opposition.

- 3.4.6. If any player commits a Level 4 offence in the match the umpire will follow paragraph 3.3 above and will immediately direct the captain to remove the player from the field for the remainder of the match and advise him that no substitute will be allowed to replace the player.

After the removal of the player the umpire(s) will signal a Level 4 penalty to the scorers, award 5 penalty runs to the opposition and advise the captain that a written report is to be submitted to the League. Further breaches at any level will result in further 5 penalty runs being awarded to the opposition.

- 3.4.7. Any player named on an Umpires Report for receiving a first and final warning for a second time in the same season will receive a two week suspension. A player named on an Umpires Report for receiving a first and final warning for a third time in the same season will receive a three week suspension.
- 3.4.8. 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 Administrator 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 Administrator and be received within 72 hours of the end of the match.
- 3.4.9. The League may take such further action as is considered appropriate against the captain, any other individuals concerned and, if appropriate, the team.

3.5 Reporting of Breaches (Participants)

- 3.5.1 Any allegation of a breach of the Code of Conduct 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 umpire(s).
- 3.5.2 Any allegation of a breach of the Code of Conduct 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 Administrator promptly after the incident giving rise to the allegation. Subject to any direction from the Administrator, a written report should be produced, which should allow the Administrator to understand
- i) the background to the alleged incident,
 - ii) why a breach of the Code of Conduct is alleged and
 - iii) the Level of breach alleged.

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

- 3.5.3. The Administrator shall have an overriding discretion to accept or decline reports submitted under paragraph 3.5.2. Save for exceptional circumstances, such reports shall not be accepted relating to any alleged breaches of the Code of Conduct which have been, or could have been, reported by an umpire pursuant to paragraph 3.4.7 (the Administrator 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.
- 3.5.4 Any complaints submitted under paragraph 3.4.2 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 Code of Conduct under paragraph 2.1.9.

4. Procedure

- 4.1. The Administrator or the Disciplinary Secretary shall, as soon as reasonably practicable, inform the Secretary or League delegate of the club concerned (or other participant as appropriate in the circumstances) that a report or “complaint” has been made.
- 4.2. A Level 1 or Level 2 breach of the Code of Conduct should in the first instance be dealt with by the participant’s club (in accordance with the guidelines set out in Paragraph 6 below). The Secretary of the Club shall notify the Administrator 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 two match (Level 1) or three match (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 Code of Conduct

- 4.3. Upon receipt of the club’s response to the complaint, and as soon as reasonably practicable, the Administrator or the Disciplinary Secretary shall consider the complaint and resolve either:
- i) to take no action except to record the complaint and notify the club of his decision; or
 - ii) to endorse the Disciplinary action taken by the club and confirm that no further action is required; or
 - iii) to refer the matter for a full Disciplinary Hearing which shall be convened as soon as practicable.
- Further reports may be requested from the Captain, officials or players involved with the complaint.

Level 3 or 4 complaints will automatically be subject to a full Disciplinary Hearing.

Any further reports requested by the Administrator or the Disciplinary Secretary 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.

- 4.4. Any match bans imposed by the club under paragraph 4.2 above shall be advised in writing to the relevant club’s County Board by the League Administrator. Players should understand that match bans will normally apply to all cricket played under the auspices of ECB during the period of the ban.
- 4.5. In the case of an ECB Registered Player (eg First Class Cricketer) being the subject of a complaint, the National Leagues & Competitions Manager is to be advised immediately by telephone or email by the Administrator of the League.

5. Disciplinary Hearings

- 5.1. In any case which is referred for a Disciplinary Hearing, the Administrator or the Disciplinary Secretary shall make every effort to convene the hearing as soon as practicable and in any event within 21 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 is referred to a Disciplinary Hearing, his 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 participant, either directly or via his club Secretary as appropriate. The notice shall specify the alleged breach(es) of the Code of Conduct and the Level(s) of the alleged breach(es).
- 5.4. The accused participant shall be entitled:
- i) to submit written statements ahead of the Disciplinary Hearing
 - ii) to attend the Disciplinary Hearing
 - iii) to state his case (in the case of a club, by its Secretary or other official)
 - iv) to be legally represented (this action should not be used as a delaying tactic) or supported by a colleague
 - v) 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 Administrator or Disciplinary Secretary not less than 48 hours before the date of the hearing.
- 5.6. 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).
- 5.7. The Hearing shall be conducted by a Disciplinary Panel appointed by the Administrator or Disciplinary Secretary shall consist of not less than three persons and not more than five persons drawn from a list approved by the League's Management Committee. None of the Disciplinary Panel 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.
- 5.8. 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.
- 5.9. The standard of proof shall be on the balance of probabilities rather than the criminal standard of beyond reasonable doubt.

6. Penalties

- 6.1. 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:-

- i) To require the player to submit appropriate letter(s) of apology within a specified time
- ii) To record a reprimand and to give a warning as to future conduct
- iii) To impose a fine, not to exceed £500
- iv) 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.
- v) To deduct League points from the player's team
- vi) To expel the player from the League

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

The County Board Welfare 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 Welfare Department etc.) the League will await the outcome of the investigation before considering the matter.

As a guideline, the following penalties should be expected to be imposed for any complaint referred and, if appropriate, proved at a disciplinary hearing. The higher end of the tariff band is most likely to be reserved for serial offences/ offenders.

- | | |
|---------|--|
| Level 1 | 2 to 6 matches, plus 5 points deducted from team being represented. |
| Level 2 | 3 to 8 matches, plus 10 points deducted from team being represented |
| Level 3 | 4 to 10 matches, plus any points deductions as deemed appropriate. |
| Level 4 | A minimum of 10 matches played under the auspices of ECB plus any points deductions as deemed appropriate. |

Penalties may be stated in terms of weeks with a start and end date. The start date would normally be a Friday at midnight.

In the case of a club:

- i) To require the club to submit appropriate letter(s) of apology within a specified time
- ii) To record a reprimand and to give a warning as to future conduct
- iii) To impose a fine
- iv) 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)
- v) To suspend a team captain if he fails to control his players after warnings
- vi) To expel the club from any competition of the League
- vii) To relegate to any lower division of the League

In the case of any other Participant:

- i) To require the Participant to submit appropriate letter(s) of apology within a specified time;
- ii) To record a reprimand and to give a warning as to future conduct;
- iii) To impose a fine, not to exceed £500;
- iv) To suspend the Participant for one or more specified matches and/or for a stated period of time;
- v) To deduct League points from the Participant's team; and
- vi) To expel the Participant from the League

6.2. The Disciplinary Panel will take the following factors into account when determining the penalties to be imposed:

- i) if the accused participant (player, member, non-member, Club) has pleaded guilty
- ii) the participant's previous disciplinary record.
- iii) the participant's position in the Club eg Captain
- iv) the conduct of the participant subsequent to him being warned and told that he will be reported
- v) any other mitigating or aggravating factors.

6.3. 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.

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

6.5. 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.

6.6. In the case of an ECB registered player the result of the hearing should be communicated within 24 hours in writing, preferably by email, to the ECB National Participation Manager (Leagues & Competitions), the PCA and County Cricket Club.

6.7. Where the complaint is not referred to a Disciplinary Hearing, repeated infringements, listed on umpires reports, by an individual player or by a club may still result in additional penalties as laid out in Appendix 2- Repeated Breaches of Discipline below.

6.8. In addition, where an individual behaves inappropriately or fails 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. Alternatively the Panel may choose to deal with the incident by having a separate hearing.

6.9. 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 discipline 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.

6.10. Players should expect any match bans to apply to all cricket due to be played under the jurisdiction of the ECB during the period of the ban.

7. Appeals

- 7.1. Appeals shall only be allowed against an automatic suspension instigated for a Level 1 or 2 offence on the grounds of mistaken identity or misrepresentation.
- 7.2. Where a breach of the Code of Conduct has been proved at a Disciplinary Hearing, a participant shall have the right of appeal. This right should only be exercised in good faith upon reasonable grounds. Where more than one participant appeals 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 Administrator within seven days of the decision of the Disciplinary Panel, together with a deposit of £250 if the appeal is by a participant or £500 if the appeal is by a club. The full cost of an appeal is £500 if the appeal is by a participant and £1000 if the appeal is by a Club. (£100 of the fee is non-refundable)
- 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.
- 7.5. The Appeal shall be by way of a new hearing before a different Panel. The Appeal Panel shall be appointed by the Administrator and shall consist of not less than three persons and not more than five persons drawn from a list approved by the League's Management Committee. None of the Panel should be connected with the participant or their 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. The participant shall have the same rights and entitlements as they had at their Disciplinary Hearing.
- 7.6. If the participant is to have legal representation present at the hearing then the details of that representation must be given to the Administrator not less than seven days before the date of the hearing.
- 7.7. 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.
- 7.8. The Appeal 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. (In reaching its decision, the Appeals panel may have regard to whether the right of appeal was exercised in good faith and upon reasonable grounds). Decisions of the Appeal Panel shall be by majority vote and, where necessary, the Chairman shall have a casting vote.
- 7.9. The decision of the Appeal Panel or, if no appeal, of the Disciplinary Panel, shall be final and binding unless in the case of an ECB registered player, where the player may appeal to the Chairman of the Cricket Discipline Commission who will consider the case under the Rules and Regulations of the ECB.

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 28 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 14 days from that reminder, the fine is still outstanding, in addition, a 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.)

9. Mutual Recognition of Penalties

- 9.1 The League and clubs shall mutually recognise and give full effect to any penalty imposed by the Disciplinary and Appeal Panels of the Leagues (as defined at paragraph 1.1).
- 9.2 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 County Cricket Boards, as defined and listed in the ECB's Articles of Association from time to time, and any other competitions as directed by the ECB from time-to-time (the Recognised Competitions).
- 9.3 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.
- 9.4 For the purposes of this paragraph 9, 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.
- 9.5 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.

10. Data Protection Consent

Each Participant shall be deemed to have agreed, for the purposes of the Data Protection Act 1998, General Data Protection Regulations (GDPR) and otherwise, that their personal data may be processed and disclosed in accordance with, and for the purposes of the implementation of, the Disciplinary Regulations.

11. Confidentiality

- 11.1 All disciplinary proceedings which take place under the Disciplinary Regulations shall be confidential and shall take place in private.
- 11.2 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

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 (Law 42) and/or the Spirit of Cricket has been categorised into 4 levels which are set out below:-

Level 1

- i) time wasting by either the fielding side or the batting side
- ii) wilfully mistreating any part of the cricket ground, equipment (especially the ball) or implements used in the match
- iii) showing dissent at an umpire's decision by word or action
- iv) using language that, in the circumstances, is obscene, offensive or insulting and or the making of an obscene gesture

- v) excessive appealing
- vi) advancing towards an umpire in an aggressive manner when appealing
- vii) any other misconduct, the nature of which is, in the opinion of the umpires, equivalent to a Level 1 offence.

Level 2

- i) showing serious dissent at an umpire's decision by word or action.
- ii) inappropriate and deliberate physical contact with another player.
- iii) charging or advancing towards an umpire in an aggressive manner when appealing
- iv) 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
- v) throwing the ball at a player, umpire or another person in an inappropriate and dangerous manner
- vi) using language or gesture that is obscene or of a serious insulting nature to another player, umpire, team official or spectator
- vii) changing the condition of the ball other than as permitted by Law 42.3
- viii) the bowling of fast short pitched balls that result in the bowler being disallowed from bowling further in that innings
- ix) causing avoidable damage to the pitch contrary to Laws 42.13 and/or Law 42.14 that results in a five run penalty being awarded
- x) or any other misconduct, the nature of which is, in the opinion of the umpires, equivalent to a Level 2 offence.

Level 3

- i) intimidating an umpire by language or gesture
- ii) threatening to assault another player, team official or spectator (Law 42.5.1)
- iii) 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)
- iv) the deliberate bowling of any high full-pitched ball contrary to Law 42.8

Level 4

- i) threatening to assault an umpire
- ii) making inappropriate and deliberate physical contact with an umpire
- iii) physical assault of another player, official or spectator
- iv) 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)

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

Where any alleged breach falls outside the conduct above, the Administrator or the Disciplinary Secretary shall determine the appropriate Level with reference to the following factors:

- i) the level of harm caused (or potentially caused) to the interests or reputation of the League(s) or the game of cricket in general;
- ii) whether any alleged language used or gesture made may 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)
- iii) whether it is alleged that any conduct was intended to cause physical harm to another person, or such harm was reasonably foreseeable;
- iv) whether it is alleged that any conduct was intended to cause distress to another person, or such distress was reasonably foreseeable;
- v) whether it is alleged that any behaviour caused harm to a child, or such harm was reasonably foreseeable;
- vi) the level of harm/distress the alleged conduct caused (or may have caused) to another person;

- vii) whether it is alleged that any conduct was criminal or otherwise unlawful; and
- viii) any other factor relevant to the particular circumstances of the alleged conduct.

In determining the appropriate level, it is again to be remembered that the core aim of the Disciplinary Regulations is to maintain the highest standards of behaviour and conduct in the game of cricket. The Level determined for an alleged breach of the Code of Conduct should be proportionate to achieve that core aim.

N.B. Clubs and players should be aware that any player suspended for part or all of the forthcoming season may have their information shared with other Leagues. The details are to include the player's name, club, the nature of the offence, the sentence and the start dates of the suspension

APPENDIX 2 - REPEATED BREACHES OF DISCIPLINE.

- A2.1 Any player who receives a first and final warning on three occasions during the same season, shall be suspended by his club for the next two (2) league matches and the secretary of that club, or his deputy, will, by the Wednesday following the match, inform the Administrator of the action taken. Each subsequent first and final warning, during the same season, will carry a further two (2) match suspension.
- A2.2 Any player reported by an umpire for bad behaviour (at any Level), for the second time in any one season, shall be suspended by his Club for the next **four** (4) League matches (minimum). The Secretary will inform the Administrator, as in paragraph A2.1 above.
- A2.3. Any player reported by an umpire for bad behaviour (at any level) on **three** occasions in any one season will be suspended by his club for the next **ten** (10) League matches (minimum). The Secretary will inform the Administrator, as in paragraph A2.1 above.
- A2.4. Where the same player of a club is reported, on more than one occasion, 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
- A2.5. 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 as set out in paragraph 2.2.1, 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 Disciplinary 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.

APPENDIX 3- Personnel available for Disciplinary panel duties:

B.Williams, (Chair of the Disciplinary Sub-Committee)
D.R.Thomas,
G.Roberson,

(all from Management Committee who may be called upon to Chair hearings and/or appeals)

+ at least two from the Management Committee and/or club representatives currently as follows:

Simon Anderson (Cookley CC), Steve Blight (Rushwick).
Roy Bray (Romsley & Hunnington CC). Neale Ingram (Bromsgrove CC)
Phil Mackie (Old Vigornians CC), Tom Oliver (Belbroughton CC)
John Stanier (Oldswinford & Stourbridge Social CC),

Club representatives will not be asked to hear cases which involve sides from the same Divisions as their Club currently play in.

APPENDIX 4 – ECB Guidelines for the conduct of Hearings and Appeals

These ECB Guidelines are intended to provide clarification and help to Disciplinary Panels. They do not form part of the League Discipline Regulations.

Natural Justice

The rules of natural justice are the minimum standards of fair decision-making imposed on persons or bodies acting in a judicial capacity. The standard of proof shall be on the balance of probabilities rather than the criminal standard of beyond reasonable doubt. The rules of natural justice consist of the following elements:

- (1) The right to a fair hearing
- (2) The rule against bias.

1. The right to a fair hearing

The right to a fair hearing requires that an individual shall not be penalised by a decision affecting his rights or legitimate expectations unless he has been given prior notice of the case against him and a fair opportunity to answer the case against him and to produce his own case.

(a) Prior notice of the hearing

The accused person should be given adequate notice of the allegations against him and of the procedure to be followed so that he may be in a position to make representations on his own behalf, to appear at the hearing, to prepare his own case and to answer the case against him. The time and location of the hearing must also be properly notified to the reported person.

(b) Opportunity to be heard

The reported person has a right to attend the hearing and be allowed to present his case. If the Disciplinary Panel is satisfied that the reported person has been given adequate notice of the alleged breach and of the time and location of the hearing, they may allow the hearing to proceed if the reported person fails to attend. However, it may not be justifiable to proceed if the time or location fixed for the hearing is such that the person cannot reasonably be expected to attend.

2. The rule against bias

A person adjudicating on a dispute must have no pecuniary or proprietary interest in the outcome of the proceedings and must not reasonably be suspected, or show a real likelihood, of bias.

The rule against bias also provides that a party should not normally be judged by his accuser.

Racial Abuse

Players and team officials must not make racially abusive comments nor indulge in racially abusive actions against fellow players, officials, members and supporters. Racially abusive comments or actions will normally result in suspension, the length depending upon the circumstances.

Drugs

It is ECB's policy that there should be no distinction drawn between 'performance enhancing' and 'recreational' drugs. Use or distribution of illegal drugs by players or team officials is a breach of the ECB Code of Conduct.

Appropriateness of Penalties

In all cases and for all offences, an admission of guilt will almost certainly result in a lesser sentence being imposed than if the matter is contested – credit being given for the admission. Plainly, the extent of the credit to be given will depend upon all the circumstances of the case, including how early the admission of guilt is made, but, save possibly in the most trivial of cases, it will not normally be such as to change the nature of the penalty or to bring about total suspension of the penalty. Whatever penalties are applied should be applied with consistency. It is likely that cases of accumulated bad behaviour and cases of violent conduct will result in a suspension of at least four weeks. Suspensions of four weeks' duration should be reported by the League to their nominated County Board for national circulation. Players should understand that suspensions of this length will normally apply to all cricket played under the auspices of ECB.

Leagues should notify their nominated County Board of a four week suspension or above upon expiry of the seven day period within which notification of intent to appeal should be made or, in the case of an appeal, immediately upon conclusion of the appeal hearing.