



Model Discipline Regulations and Guidance

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1. Code of Conduct and Spirit of Cricket

The following document has been created using the ECB Model Discipline Regulations and Guidance and slightly reworded to reflect the application within recreational cricket in a T Rippon MECL context and current best practice.

Code of Conduct

- 1 The ECB is committed to maintaining the highest standards of behaviour and conduct. This Code of Conduct incorporates the Spirit of Cricket, as set out below. It applies to all matches played under the auspices of the ECB and may be applied to cricket in general.
- 2 The captains are responsible for ensuring that play is conducted within the Spirit of Cricket as well as within the Laws.
- 3 Players and team officials must always accept the umpire's decision. Players must not show dissent at the umpire's decision or react in a provocative or disapproving manner towards another player or a spectator.
- 4 Players and team officials shall not intimidate, assault or attempt to intimidate or assault an umpire, another player or a spectator.
- 5 Players and team officials shall not use crude and/or abusive language (known as "sledging") nor make offensive gestures or hand signals nor deliberately distract an opponent.
- 6 Players and team officials shall not make racially abusive comments nor indulge in racially abusive actions against fellow players, officials, members and supporters. Clubs must operate an active open- door membership policy whilst respecting player qualification regulations and welcome players/members irrespective of ethnic origin.
- 7 Players and team officials shall not use or in any way be concerned in the use or distribution of illegal drugs.
- 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 Code of Conduct may be expelled from Competitions for the current and future seasons.

Spirit of Cricket

- 9 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.
- 10 There are two Laws which place the responsibility for the team's conduct firmly on the captain

i) 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

ii) **Player's Conduct**

In the event of a player failing to comply with instructions by an umpire, or criticising by word or action the decision of an umpire, or 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, and instruct the latter to take action.

Fair and Unfair Play

11 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.

Umpires authority

12 The umpires are authorised to intervene in cases of:

- a) Time wasting
- b) Damaging the pitch
- c) Dangerous or unfair bowling
- d) Tampering with the ball
- e) Any other action that they consider to be unfair

Respect

13 The Spirit of the Game involves RESPECT for:

- a) Your opponents
- b) Your own captain and team
- c) The role of the umpires
- d) The game's traditional values

14 It is against the Spirit of the Game:

- a) To dispute an umpire's decision by word, action or gesture (this includes making comment/gestures about a decision to your team but not directed to the umpire)
- b) To direct abusive language towards an opponent or umpire
- c) To indulge in cheating or any sharp practice, for instance
 - To appeal knowing the batsman is not out
 - To advance towards an umpire in an aggressive manner when appealing
 - To seek to distract an opponent either verbally or by harassment with persistent clapping or unnecessary noise under the guise of enthusiasm and motivation of one's own side

Violence

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

Players

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

2. Definitions

Chairman: Includes a League appointed deputy

Club: Any Club registered as a member of the T Rippon Mid Essex Cricket League

Participant: This includes umpires, club officials and spectators or any others involved with the Club but who are not directly participating

Witnesses: Are those who directly observed events and able to provide reliable information on what happened. This is not the complainant, accused or representative.

3. Aims and Jurisdiction

- 1 The intention of this section is to help Clubs and promote consistency in dealing with any alleged breach of the Code of Conduct and Spirit of Cricket
- 2 These regulations shall apply to any Participant of a T Rippon Mid Essex Cricket League Club in a League Match.
- 3 These Regulations also apply to:
 - any report submitted because of a low sporting mark submitted as prescribed in League Rules and Guidance
- 4 The rules of natural justice are the minimum standards of decision-making imposed on persons or bodies acting in a judicial capacity.
- 5 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:
 - a) The right to a fair hearing
 - b) The rule against bias.
- 6 A Disciplinary Hearing will only adjudicate on the alleged breaches by the player, Club or participant as referred to in the Complaint which has been passed to it. Grievances against other parties which have not been reported in accordance with League rules will not be within the remit of the Disciplinary Hearing.

4. Initial complaint

- 1 Any alleged breach of these Regulations shall be notified in writing (to be known as 'a Complaint') to the League Secretary within 7 days of the alleged offence.
- 2 Upon receipt of such complaint, the Chairman of the League shall consider the complaint and after the time has elapsed for submitting reports, seek a response in writing from the accused normally through the Club Secretary who should respond within 7 days.
- 3 It is intended that any breach of the Regulations should in the first instance be dealt with by the Club who shall notify the Secretary of the League of the result of any action taken.
- 4 The Chairman of the League shall then further consider the complaint and resolve the issue by either:
 - a) Taking no action except to record the complaint and notify the club; or
 - b) Endorse the disciplinary action taken by the club; or
 - c) Refer the matter for a Disciplinary Hearing.

5. Notification of disciplinary hearing

- 1 In any case which is referred for a Disciplinary Hearing, at least 14 days' notice in writing of the hearing shall be given to the accused via the Club Secretary
- 2 The Chairman of the League Disciplinary Committee shall convene a hearing as soon as is practicable and in any event within 28 days after the event giving rise to the complaint. Adjournments are only granted in exceptional circumstances at the discretion of the Chairman of the Disciplinary Committee.
- 3 The accused should be notified of the offence(s) alleged, along with the time and location of the hearing. The notification should be in writing, include all relevant documentation and give at least 14 days' notice. This will normally be through the Club Secretary.
- 4 The accused and the complainant shall be entitled to attend the hearing, state their case, to be supported by a colleague and to call witnesses.

Note: There is no right to legal representation, but the Chairman of the Disciplinary Committee can permit the accused person to be legally represented. However, the attendance or otherwise of the legal representative should not be used as a 'delaying tactic'. In the case of a minor it is recommended they should be supported by the County Board/League Child Welfare Officer or other appropriate adult.

- 5 The names of witnesses who are to attend should be communicated to the League Secretary prior to the meeting. Normally a maximum of three witnesses shall be allowed but can be amended at the discretion of the Chairman of the Disciplinary Committee.

6. Conducting the hearing

1. The Hearing shall be conducted by the League Disciplinary Committee which shall consist of a minimum of three and a maximum of five persons appointed by Chairman of the League Disciplinary Committee. No-one connected with the individual or the club, or their opponents, or a club which might directly benefit from any disciplinary action (e.g. by the deduction of points), should be a member of the Committee.
2. The Chairman of the Disciplinary Committee should open the hearing and introduce all the parties. The Chairman should then briefly outline the procedure to be followed, specifying the standard of proof to be adopted.

Note: Witnesses should not be present in the room during the hearing but should be called individually to give their evidence at the appropriate time. (Ideally, a separate waiting area should be provided for each party). It is recommended that in the case of a minor attending to give evidence on behalf of either party they should be supported by an appropriate adult.

3. The charges against the accused person/club should be specified.
4. The information from the complainant shall be heard with the accused having the opportunity to question and clarify the information being presented.
5. The accused should be asked to give their account and the Committee may question the accused. If appropriate the complainant should also be given the opportunity to respond to information being presented by the accused.

6. They accused and complainant may then call witnesses. Witnesses should be called individually and asked to give their evidence. The Committee may question the witnesses. The accused (or representative) may also question the witnesses. If appropriate the complainant should also be given the opportunity to respond to information being presented.
7. Once the witnesses have given their evidence and answered any questions, they should either leave the room or, with the permission of the Chairman, they may remain but should take no further part in the hearing.
8. After all the evidence has been provided, the Committee should deliberate in private. The Committee's decision should be by majority vote; where necessary the Committee Chairman shall have the casting vote.
9. The decision of the Disciplinary Committee and if appropriate the penalty should be communicated to the accused person/club in writing ideally with 24 hours. If proved the accused should be made aware of the Appeals Process, particularly the time within which an appeal should be lodged.

7. Penalties

- 1 Fixed penalties as defined within League rules are not subject to a disciplinary hearing as they are imposed as direct result of a rules breach. However, they are subject to the Appeal's process.
- 2 If at the hearing the League Disciplinary Committee finds the alleged offence proved, it shall have the power to impose one or more of the following penalties, together with such order as to costs as it deems appropriate.
- 3 In the case of a player or any other participant
 - a) To require the person 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
 - d) To suspend the person for one or more specified matches or for a stated period
 - e) To deduct League points
 - f) To expel the player from the League.

Note: Any suspension can apply to League matches only or to all cricket or cricket related activities as the disciplinary committee decides.

- 4 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
 - d) To deduct League points from the Club's team(s)
 - e) To relegate to any lower division of the League
 - f) To expel the Club from any competition of the League
 - g) To expel the Club from the League
 - h) To withdraw sponsorship
- 5 The Disciplinary Committee 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.

8. Appeals Procedure

- 1 The accused, against whom a penalty has been imposed, shall have the right of appeal to the Appeals Committee. Notice of Appeal setting out the grounds must be given in writing to the Secretary of the League within seven days of the decision of the Disciplinary Committee, together with a deposit of £60 for each appeal submitted.

Note: Where a penalty stretches wider than a single individual or club, each appeal shall be dealt with separately and £60 deposit will be required for each appeal. Should the Appeal be successful the deposit shall be returned.
- 2 If Notice of Appeal is given, the penalty shall not take effect pending the hearing of the Appeal. The Appeal hearing shall take place within 14 days of the Notice of Appeal. Adjournments are only granted in exceptional circumstances at the discretion of the Chairman of the Appeal's Committee.
- 3 The Appeal shall be by way of re-hearing before a different Committee. The composition of the Committee shall be at the discretion of the Chairman of the League Appeal's Committee and shall consist of not less than three persons, none of whom shall be connected with the accused, the Club, their opponents at the time of the alleged breach or any member of the original disciplinary committee. All shall have the same rights of attendance, representation, and to call witnesses as they did at the Disciplinary Hearing.
- 4 The Appeals Committee may confirm, vary or reverse the decision of the Disciplinary Committee and it shall have the power to increase the penalty and award costs of the Appeal hearing by way of not returning the deposit. Decisions of the Appeal's Committee shall be by majority vote; where necessary, the Chairman shall have the casting vote.
- 5 The decision of the Appeal's Committee is final and binding.
- 6 The decision of the Appeal's Committee and if appropriate the penalty should be communicated to the accused, via the Club Secretary in writing, ideally within 24 hours.

9. Guidelines on hearings and appeals

The right to a fair hearing

1. The right to a fair hearing requires that an accused shall not be penalised by a decision affecting their rights or legitimate expectations unless they have been given prior notice of the case against them and a fair opportunity to answer the case against them and to produce their own case.

Prior notice of the hearing

2. The accused should be given adequate notice of the allegations against them and of the procedure to be followed so that they may be in a position to make representations on their own behalf, to appear at the hearing, to prepare their own case and to answer the case against them. The time and location of the hearing must also be properly notified to the reported person.
3. Within the Model Discipline Regulations, it states that “at least 14 days’ notice in writing of the hearing and of the offence(s) alleged shall be given to the accused

Opportunity to be heard

4. The accused has a right to attend the hearing and be allowed to present their case.

The rule against bias

5. A person adjudicating on a dispute must have no financial or proprietary interest in the outcome of the proceedings and must not reasonably be suspected, or show a real likelihood, of bias.
6. The rule against bias also provides that a party should not normally be judged by his accuser

Non-attendance at the hearing by accused

7. The Disciplinary Committee needs to be satisfied that the accused person has been given adequate notice of the alleged breach and of the time and location of the hearing. If so they may allow the hearing to proceed even if the reported person fails to attend.
8. 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.

10. Sentencing Guideline (recreational game)

General

1. The following are guidelines to sentencing policy which may be used by Disciplinary Committees in determining the appropriate sentence. The guidelines provide a method of considering individual cases but are not a tariff and should not be considered as such. Only a Disciplinary (Appeals) Committee can decide on the penalty appropriate to any individual case.

Players' behaviour

2. 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.
3. Breaches of the Spirit of the Game should automatically be reported as soon as reasonably practicable (within 7 days) to the League. Such breaches will be treated seriously.

Accumulated bad behaviour

4. Repeated infringements by an individual of the Spirit of the Game (where it is decided that each infringement in itself does not merit any immediate disciplinary action), should result in a Disciplinary Hearing.
5. Taking into account captains' responsibilities as set out the Model Discipline Regulations, repeated infringements by a team are likely to result in the captain being held responsible for the conduct of the team (whether or not individual players are also identified for disciplinary action) and being called before a Disciplinary Hearing.
6. When issuing the penalty, the Disciplinary Committee may take account of instances of poor team discipline in previous years, particularly where the on the field captain is the same. Leagues shall ensure that captains understand their responsibility for the "on the field" behaviour of themselves and their team members.
7. If suspension is the penalty, this will normally take effect immediately (unless subject of an appeal).

Violence

8. There is no place for any act or threat of violence on the field of play.
9. Cases of violent conduct against an official will inevitably result in a lengthy term of suspension.
10. Violence will also normally result in suspension, the length depending upon the circumstances.
11. If suspension is the penalty, this should take effect immediately (unless subject of an appeal).

Racial abuse

12. Players and other participants must not make racially abusive comments nor indulge in racially abusive actions. Racially abusive comments or actions will normally result in suspension, the length depending upon the circumstances.

Drugs

13. 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

11. Appropriateness of penalties

General

1. 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.
2. 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
3. Whatever penalties are applied should be applied with consistency.
4. Points penalties are normally more appropriate in the case of a Club or where a significant number of the team have contributed to the breach.
5. All suspensions should be reported by the League to their nominated County Board for national circulation. Players should understand that suspensions will normally apply to all cricket played under the auspices of ECB
6. The League will 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.
7. If at a Disciplinary Hearing a breach of the Code of Conduct is proved, the Disciplinary Committee shall have the power to impose one or more of the following penalties, together with such order as to costs as it deems appropriate
8. The Disciplinary Committee may take the following factors into account when determining the penalties to be imposed:
 - If the accused has pleaded guilty;
 - The accused's previous disciplinary record;
 - The position of the accused (for example, if a player is a Captain);
 - The conduct of the accused subsequent to them being warned and told that they will be reported;

- In any case involving a player, the regularity with which the player plays cricket and at what level(s) of cricket he plays (for example, a fixed period suspension of two weeks is likely to have a more serious impact upon a cricketer who plays regularly when compared to a purely recreational player who plays infrequently);
- Whether conduct occurred on or off the field of play (as a guideline only, conduct occurring off the field of play will typically, save where there are significant aggravating factors, be more appropriately dealt with by imposing a fine
- Any other mitigating or aggravating factors relevant to the circumstances of the breach

Offence levels

9. 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.
10. As a guideline, the following suspensions should be expected
 - 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*
11. The Disciplinary Committee 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.
12. Where applicable, penalties may be carried over to apply in the following season.
Note: The conduct listed in Level 1 to 4 below cannot be exhaustive and are presented as a guide to aid consistency

Level 1

- a) abuse of the cricket ground, equipment or fixtures
- b) showing dissent at an umpire's decision by word or action
- c) using language that is obscene, offensive or insulting and or the making of an obscene gesture
- d) excessive appealing

Level 2

- a) showing serious dissent at an umpire's decision by word or action
- b) inappropriate and deliberate physical contact between players in the course of play
- c) charging or advancing towards an umpire in an aggressive manner when appealing
- d) deliberate and malicious distraction or obstruction on the field of play, regardless as to whether such conduct is deemed to be fair under laws
- e) throwing the ball at or near a player, umpire or official in an inappropriate and dangerous manner

- f) using language or gesture that is obscene or of a serious insulting nature to another player, umpire, team official or spectator
- g) changing the condition of the ball other than as permitted by Laws
- h) the bowling of fast short pitched balls that result in the bowler being disallowed from bowling further in that innings

Level 3

- a) intimidating an umpire
- b) threatening to assault another player, team 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 (or that person's perceived) age, race, religion, sexual orientation, colour, descent or national or ethnic origin
- d) the deliberate bowling of any high full-pitched ball contrary to Laws

Level 4

- a) threatening an umpire
- b) physical assault of another player, umpire, official or spectator
- c) any act of violence on the field of play
- c) using language or gestures that seriously offend, insult, humiliate, intimidate, threaten, disparage or vilify another person on the basis of that person's (or that person's perceived) age, race, religion, sexual orientation, colour, descent or national or ethnic origin

13. Where any alleged breach falls outside the conduct above, whether on or off the field, the Discipline Chairman shall determine the appropriate Level with reference to the following factors:

- the level of harm caused (or potentially caused) to the interests or reputation of the League or the game of cricket in general;
- 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 (or that person's perceived) age, race, religion, sexual orientation, colour, descent or national or ethnic origin;
- whether it is alleged that any conduct was intended to cause physical harm to another person, or such harm was reasonably foreseeable;
- whether it is alleged that any conduct was intended to cause distress to another person, or such distress was reasonably foreseeable;
- whether it is alleged that any behaviour caused harm to a child, or such harm was reasonably foreseeable;
- the level of harm/distress the alleged conduct caused (or may have caused) to another person;
- whether it is alleged that any conduct was criminal or otherwise unlawful; and
- any other factor relevant to the particular circumstances of the alleged conduct.

Social media

14. For the avoidance of doubt, any postings online and/or on social media (Twitter, Facebook or similar/equivalent platforms) will be dealt with in accordance with these discipline regulations and guidance. In relation to such cases, it should be noted:

- The accused are to be considered responsible for any posting(s) on their social media account(s) (private or public) which are caught by the factors detailed above. The fact that a posting may have been made by someone else in the accused name will not necessarily prevent disciplinary action being taken;
- Clubs are reminded they are additionally responsible for any posting on their website, facebook or any other platforms which record details of a match, person, club or facilities
- Disciplinary action may also result from repeating comments made on social media by others (e.g.'retweeting') which are caught by the factors detailed above;
- The deleting of any inappropriate content, whilst advisable, does not of itself prevent disciplinary action being taken.