

COTSWOLD HILLS LEAGUE DISCIPLINARY REGULATIONS & PROCEDURES

Aims and Jurisdiction

These regulations shall apply to any player who plays for any club, at any level, under the auspices of CHL and they 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*.

It is intended that any alleged breach of the *Code of Conduct* and *The Spirit of Cricket*, that is reported, should, in the first instance, be dealt with by the player's club, who shall notify the Hon. Secretary of the League of the result of any action taken against its player. If the disciplinary sub-committee of the League is satisfied with the action taken by the club, the case will be closed. If the sub-committee is not satisfied with the action taken by the club, a disciplinary hearing will be convened.

The Executive Committee shall also be empowered to take punitive action against any club or individual member of a club who makes derogatory or disparaging media statements or comments regarding other clubs, umpires or the league. If the case is found proved, clubs and/or individuals will be found guilty of bringing the game into disrepute and will be liable to points deductions and/or suspension and/or a financial penalty as the Disciplinary sub-committee sees fit. In this instance, media shall include press, radio, television, club websites and club match programmes.

Introduction to Disciplinary Procedures

Discipline at cricket matches is an issue which the CHL takes very seriously. To this end, several stages have been built into the procedures which deal with discipline breaches. The aim is to simplify the procedure for minor offences, whilst providing full rights for all accused and wronged, in accordance with ECB Guidelines.

Three main stages are involved:

1. Umpires report on all matches and mark each club for their disciplinary behaviour. Three marks below the defined level (4) in a season result in points being deducted from the offending club.
2. Clubs agree to a *Code of Conduct* which obliges them to impose a ban for a period of at least two matches, for all discipline breaches reported to the League, through a pre-defined procedure. This ban applies to all ECB cricket. This stage deals mainly with Level 1 breaches, details of which are set out in the *Disciplinary Complaints and Appeals Procedures*. The full *Code of Conduct* and *The Spirit of Cricket* are set out in the next section.
3. For more serious offences, the League will call a Disciplinary Hearing, within 10 days of the alleged offence, whether reported by the umpires or another club or individual. This hearing will be subject to formal reports by the accusers, the accused and the umpires, and will be heard before three committee members, with advisors present if considered necessary. Clubs and individuals may be present and represented. They may, also, call witnesses. Decisions made at the hearing may be subject to appeals, as defined in the procedure. The full procedure is set out in the *Code of Conduct*.

A list of discipline breaches, categorised into four levels, is set out in the *Disciplinary Complaints and Appeals Procedures*, including details of the action which will be taken when a breach is committed and the recommended penalties for each level.

ECB Guidelines on the Conduct of Hearings and Appeals and Sentencing Guidelines for the Recreational Game are set out later in this section. It should be noted that, if there is any conflict between the League's disciplinary procedures and the ECB Regulations and Guidelines, the League's procedures will take precedence

CHL Code of Conduct

All member clubs of the CHL have agreed to abide by this *Code of Conduct* and, in doing so, accept that there is no right of appeal against any sanction contained within this *Code of Conduct*, other than as stated below.

Every Player eligible to play in the League acknowledges the Constitution of the League and its procedures and undertakes to be bound by them, including suspension without appeal, other than as stated in paragraph 7 below.

1. Any player reported by an umpire for bad behaviour shall be suspended by his club for the next TWO (2) League matches (minimum), and the Secretary of that club, or his designated deputy, will, by the Wednesday following the match, inform the Hon. Secretary of the action taken by that club.
2. Any player reported by an umpire for bad behaviour, 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 Hon. Secretary, as in paragraph 1 above.
3. Any player reported by an umpire for bad behaviour 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 Hon. Secretary, as in paragraph 1 above.
4. Suspensions will be carried over to the following season, if applicable. Suspensions apply to all cricket played under the auspices of the ECB for the period of the suspension.
5. 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.
6. Any individual club having three (3) or more players reported in any one season shall have ten (10) league points deducted, in addition to deductions made under 5 above.
7. Appeals under the *Code of Conduct* will only be allowed on the grounds of
 - a. Mistaken identity
 - b. Failure of the umpire to follow the warning procedure.

Notes

It must be remembered it is the responsibility of the individual concerned AND his captain, club and team-mates to uphold standards of behaviour at all times. It is only when that has failed that there is a need for this code, and unacceptable behaviour is reported by an umpire.

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

Players and team officials must at all times accept the umpire's decision.

Players must not show dissent at an umpire's decision or react in a provocative or disapproving manner towards another player or a spectator.

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

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.

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.

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

Clubs must take adequate steps to ensure the good behaviour of their members and supporters towards players and umpires.

It should be stressed that there is nothing in this code preventing, or discouraging, clubs from applying additional, or stronger, sanctions against offenders, whether or not they are the subject of a report. To this end, it is important that clubs have their own code of conduct and disciplinary procedures in place.

The Chairman of the Disciplinary Sub-Committee may, and within seven (7) days of the reported incident, decide that sanctions other than those of the CHL's *Code of Conduct* are appropriate and institute the full disciplinary complaints and appeals procedures.

Any sanctions resulting from those procedures shall be in addition to those of the CHL's *Code of Conduct* which shall not be reduced.

The League Disciplinary Sub-Committee will deal with all incidents involving violent conduct.

The 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.

- 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 that any player failing to comply with instructions by an umpire, or criticising by word or action the decisions 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.

2 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.

3 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

4 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

5 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:
 - (a) to appeal knowing that the batsman is not out
 - (b) to advance towards an umpire in an aggressive manner when appealing
 - (c) 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

6 Violence

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

7 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. Failure to comply with these provisions may lead to disciplinary action.

CHL Code of Conduct – Guidelines

These guidance notes outline the principals and the procedures in the implementation of the CHL's *Code of Conduct*.

Code of Conduct deals with unacceptable behaviour reported by an Umpire, the responsibility for upholding standards of behaviour lies with the clubs AND in particular, with the Captain of each team on the day.

Note: - The Laws of Cricket, *The Preamble – The Spirit of Cricket*.

Every club must make a firm stand to uphold high standards of behaviour, and shall have in place its own code of conduct and a disciplinary procedure to ensure appropriate action is taken whenever the standard of behaviour of any of its players is unacceptable.

The CHL's *Code of Conduct* is to provide the strongest possible backing to umpires, as each Club undertakes to suspend any player reported by an umpire.

The Executive Committee stress that, whilst everyone expects player behaviour to be of impeccable standard, we rely on our Premier Division Panel Umpires and Club's own umpires to ensure that acceptable standards are maintained. When that is not the case, e.g. verbal or physical abuse, or verbal or physical dissent, the Umpire shall follow a procedure similar to those of caution, warning and report in the Laws of Cricket.

e.g. Unfair Play Law 41/7 (a) (b) (c iii-iv) and /12 (a) (b) (c iii)

A. First Warning

1. First caution the player as to his conduct and advise the player and his captain that it is a first and final warning and its possible consequences.
2. Advise his colleague of his first warning.

B. Take action on a further warning

1. Warning the player as to his conduct and advising the player and his captain that he would be submitting a report AND, at the earliest opportunity, inform the executive of that team's club.
2. Advise his colleague that he would be submitting a report and request him to, also, submit a report.
3. At the earliest opportunity, advise the opposition captain that he would be submitting a report.

Advise the Hon. Secretary, by telephone, within 24 hours, that he is submitting a report of the match.

It should be noted that the umpire might decide that a player's conduct is such that the caution is also the final warning, and take action as in B 1, 2 & 3 above, e.g. when any player shows aggravated verbal or physical dissent or abuse.

It is hoped that this will not simply be a mechanism for dealing with the consequences of unacceptable behaviour but provide assistance in reminding everyone, particularly the captain, of his responsibilities. It is important for clubs to be aware that, when informing the captain a report will be submitted, the club itself is informed and triggers the suspension under the CHL's *Code of Conduct*.

Disciplinary Complaints & Appeals Procedures

These procedures must be read in conjunction with the Code of Conduct Guidelines. The *Code of Conduct* will be invoked in most cases as the first step.

1. Code of Conduct

- 1.1 The League is committed to maintaining the highest standards of behaviour and conduct of those subject to its jurisdiction. In pursuance of these standards, the following rules of conduct shall be complied with by all those subject to the jurisdiction of the CHL Executive Committee (for the purpose of these rules hereinafter known as a participant).
- 1.2 Each participant shall at all times conduct himself fairly and properly on the field that, for the purpose of this paragraph, shall include any part of a cricket ground and not merely the field of play. Without prejudice to the generality of the foregoing, the following shall be regarded as conduct that is not fair and proper:-
 - a. Verbal or physical abuse or hostility towards any other participant or member of the public.
 - b. Disputing of an umpire's decision or reacting in an obviously provocative or disapproving manner towards an umpire at any time.
 - c. Using crude and/or abusive language or *sledging* or giving hand signals or engaging in like conduct.
- 1.3 The Disciplinary Sub-Committee shall deal with any question relating to or affecting the misconduct of any participant (or Club Official) in connection with any League match or any other matters affecting the interests of the League. This Sub-Committee shall have the power to impose such penalties as are covered in these rules, or such other penalties as it thinks fit, other than expulsion from the League.
In arriving at its decision, the Disciplinary Sub-Committee shall follow the procedures laid down in the Complaints and Disciplinary Procedures below.

2. Complaints and Disciplinary Procedures

- 2.1 Any Club or umpires wishing to lodge a complaint on any matter must do so:-
Firstly, at the match and inform the Captain, or an official of the Club, against whom the complaint is made that a report will be made.
Secondly, by telephone, to the Hon. Secretary to advise that a report will be made. The telephone call shall be made within 24 hours of the end of the match.
Thirdly, by forwarding a report, signed by the Club Secretary, or his designated deputy, (using e-mail is acceptable) in respect of the Club or by the umpire concerned. The telephone call and report will be addressed to and received by the Hon. Secretary. Any letter shall be posted to the Hon. Secretary within 48 hours of the end of the match from which the report arises.
- 2.2 Upon receipt of a complaint, the Hon. Secretary shall :
 - a. Acknowledge the complaint by telephone, e-mail or letter.
 - b. Contact, by telephone, the Secretary of the Club against whom the complaint has been made or, if unable to contact the Secretary, the Chairman of that Club, informing him of the complaint.
 - c. Send a copy of the complaint to the Club concerned, requesting a report from the Captain of the day of the Team concerned, and if the complaint is against a named individual player, a report from that player as well as the Captain's report.
 - d. Send a copy of the complaint to the umpire(s) requesting a report(s) if necessary.
- 2.3 All reports must be sent to the Hon. Secretary within 48 hours of first being contacted by him.
- 2.4 In the event of a Club and/or player, against whom a complaint has been made, failing to comply with the above provisions, a fine of £50 per week, or part thereof, will be levied against the Club, and after the first week, an additional fine of five points per week, or part thereof, will be made against the team concerned.

- 2.5 When all the reports have been received, the Disciplinary Sub-Committee shall convene within 10 days of the match to which the complaint pertains, to consider the matter and pronounce judgement. All parties shall have the right of attendance to provide evidence to the hearing. Some discretion will be permitted to vary this date, in the event of real emergencies, at the sole discretion of the Hon. Secretary.
The Hon. Secretary shall inform the Club and/or individual concerned of what complaint or complaints have been upheld against them and the penalty for the offence.
- 2.6 In the event that the Club has put in a defence to any complaint, any decision of the committee will be detailed in writing by the Hon. Secretary.
- 2.7 If the decision is to fine a Club and to fine and/or suspend a player, then the Hon. Secretary shall inform the Club (of which the player is a member) of the decision in writing.
- 2.8 If, at the hearing, the Disciplinary Sub-Committee finds the alleged offence proved, it shall have the power to impose any penalty it deems appropriate, plus costs of £30 against the offending Club or the offending player's club.

3. Appeals Procedure

- 3.1 Any Club or individual shall have the right to appeal against a decision of a Disciplinary Committee.
- 3.2 Notice of appeal, setting out the grounds, must be given in writing to the Hon. Secretary, within 7 days of the disciplinary hearing, together with a deposit of £150 (of which £50 is non refundable) payable to the League.
- 3.3 An Appeal Panel will be formed, consisting of not less than three persons, none of whom shall be connected with the player, the club or their opponents at the time of the alleged breach nor have been a member of the original hearing committee. The composition of the Appeal Panel shall be at the discretion of the Hon. Secretary and/or the Chairman of the League.
- 3.4 The appeal shall be heard within 10 days of receipt of the notice of appeal.
- 3.5 The player or Club shall have the right of attendance and may call witnesses in support. The Appeal Panel may also, at its sole discretion, request other parties to attend the hearing and give evidence.
- 3.6 The Appeal Panel may confirm, vary (which shall include the power to increase or decrease penalties) or reverse the decision. It shall also have the power, where it considers the appeal to be frivolous, vexatious or lacking in merit, to order the deposit to be forfeited.
- 3.7 The decision of the Disciplinary Committee, if no appeal is made against the original decision, shall be final and binding. After appeal, any decision made by the Appeal Panel shall be final and binding.

4. Non-payment of Fines

- 4.1 Any fine levied under these procedures, or imposed for the breach of any match rule, must be paid to the Hon. Treasurer of the League within twenty-eight days of the Club being notified of such fine.
- 4.2 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.
- 4.3 In respect of other payments, owed to the League by member Clubs, these shall be treated as if they were a fine, except that points shall not be deducted. Such payment shall continue to increase by 100% for each further twenty-eight day period that the payment remains outstanding.

Breaches of Discipline

1. Breaches

Certain conduct, whether on or off the field of play, amounting to a breach of the Laws of Cricket and/or the Spirit of Cricket have been categorised into 4 levels which are set out below:-

Level 1

- a. time wasting by either the fielding side or the batting side
- b. abuse of the cricket ground, equipment or fixtures
- c. showing dissent at an umpire's decision by word or action
- d. using language that is obscene, offensive or insulting and/or making of an obscene gesture
- e. 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 Law 42.5
- 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 Law 42.3
- h. the bowling of fast short pitched balls that result in the bowler being disallowed from bowling further in that innings
- i. causing avoidable damage to the pitch contrary to Laws 42.13 and/or 42.14 that results in a five run penalty being awarded.

Level 3

- a. intimidating an umpire or referee
- 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 race, religion, sexual orientation, colour, descent or national or ethnic origin
- d. the deliberate bowling of any high full-pitched ball contrary to Law 42.8

Level 4

- a. threatening an umpire or referee
- b. physical assault of another player, umpire, referee, official or spectator
- c. any act of violence on the field of play
- d. using language or gesture 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.

2. Action

- 2.1 Level 1 Breaches** – will normally be dealt with by umpires under the CHL's *Code of Conduct*, i.e. the umpire will caution the player as to his conduct and advise him and his captain that it is a first and final warning. On any further breach the umpire will warn the player as to his conduct and advise him and his captain that a report will be submitted. This will result in an automatic two match ban.
- 2.2 Level 2 Breaches** – depending on the circumstances Level 2 breaches may also be dealt with under the CHL's *Code of Conduct*. The umpire may decide not to give a first and final warning but immediately warn the player as to his conduct and advise him and his captain that a report will be submitted. The Hon. Secretary or Chairman of Disciplinary Sub-Committee will decide if the automatic two match ban is sufficient or if a discipline hearing should deal with the matter.
- 2.3 Level 3 & 4 Breaches** – will be dealt with at a disciplinary hearing.

3. Penalties

- 3.1 The following is a guide to the penalties recommended for each level of breaches:-
Level 1 – Suspension for 2 to 6 matches
Level 2 – Suspension for 2 to 8 matches
Level 3 – Suspension for 4 to 10 matches
Level 4 – Suspension for a minimum of 10 matches
The Disciplinary Committee/Appeal Panel will take the following into account when considering the suspension to impose:-
- If the player has pleaded guilty
 - The player's previous discipline record
 - If the player is also the Captain
 - The conduct of the player subsequent to him being warned and told that he will be reported
- 3.2 Captains who fail to control their players after being requested to do so by the umpires or after cautions/warnings have been given to one or more of their players, may be given a warning and/or a suspension by the Disciplinary Sub-Committee and/or the Appeal Panel.
- 3.3 The Disciplinary Sub-Committee and the Appeal Panel may also deduct points from clubs and fine clubs whose player(s) have been guilty of breaches of discipline. Players may also be fined.