



Hertfordshire Cricket Limited

Disciplinary Regulations and Code of Conduct

Updated: November 2022

Hertfordshire Cricket Limited Disciplinary Regulations and Code of Conduct are based upon the ECB Procedures and Guidelines.

The principles of these regulations apply to all Hertfordshire affiliated competitions, clubs, coaches and officials.

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APPENDIX 1 – BREACHES OF DISCIPLINE

1. AIMS AND JURISDICTION

1.1. The principles of Hertfordshire Cricket Limited Disciplinary Regulations and Code of Conduct apply to all Hertfordshire affiliated competitions, clubs, coaches, cricket officials and matches.

1.2. These Regulations and Code have been drawn from the ECB Model Code of Conduct and The Spirit of Cricket. All Hertfordshire affiliated competitions shall have arrangements for ensuring that these principles are enforced.

1.3. The regulations shall be complied with by all those who participate under the jurisdiction of the competitions or for the clubs shown in section 1.1. The regulations shall apply to any participant or player, at any club, at any level, under the auspices of these competitions or matches.

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

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

1.6. There is nothing in this Code preventing or discouraging clubs from applying additional or stronger sanctions against offenders than those appearing within the Code, whether or not they are the subject of a discipline report. To this end, it is important that clubs have their own code of conduct and disciplinary procedures in place.

1.7. For the purposes of these regulations, the expression 'player' shall throughout this document be deemed to mean and include not only any player, whether professional or otherwise, but also any member or official of any club or any other person involved in any incident of alleged misconduct occurring on any part of a cricket ground or building and not merely the field of play.

2. Code of Conduct and Spirit of Cricket

2.1. Code of Conduct

2.1.1. All parties as shown in 1.1 are committed to maintaining the highest standards of behaviour and conduct at cricket matches both on and off the field. All clubs and players, by virtue of their registration with their respective League and cup competitions, explicitly agree to abide by this Code of Conduct, which incorporates the Spirit of Cricket, and are bound by the provisions in these Regulations.

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

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

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

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

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

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

2.1.8. Players and club officials shall not make any public or media comment which is detrimental to the competition, competition officials, clubs, club officials, opponents, umpires or the game in general. In this instance, media shall include: press, radio, television, external websites, club websites, match reports, social networking sites, club match programmes, emails and texts.

2.1.9. Clubs must take appropriate and reasonable steps to ensure the good behaviour of their players, officials, members and supporters.

2.2. Spirit of Cricket

Cricket is a game that owes much of its unique appeal to the fact that it should be played not only within its Laws, but also within the Spirit of the Game. Any action which is seen to abuse this spirit causes injury to the game itself. The major responsibility for ensuring the spirit of fair play rests with the captains.

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

Responsibility of Captains

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 the instructions of an umpire, criticising his decision by word or action, showing dissent, or generally behaving in a manner which might bring the game into disrepute, the umpire concerned shall in the first place report the matter to the other umpire and to the player's captain, requesting the latter to take action.

2.2.2. Players

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

2.2.3. Fair and Unfair Play

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

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

- Time wasting
- Damaging the pitch
- Dangerous or unfair bowling
- Tampering with the ball
- Any other action that they consider to be unfair

2.2.5. The Spirit of the Game involves **RESPECT** for:

- Your opponents
- Your own captain and team
- The role of the umpires
- The game's traditional values

2.2.6. It is against the Spirit of the Game:

- To dispute an umpire's decision by word, action or gesture
- To direct abusive language towards an opponent or umpire
- To indulge in cheating or any sharp practice, for instance:
 - o Appeal knowing the batsman is not out
 - o Advance towards an umpire in an aggressive manner when appealing
 - o 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.

2.2.7. Violence

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

2.3. Failure to comply with the provisions of the Code of Conduct may lead to disciplinary action.

3. Breaches

3.1. A breach of the disciplinary regulations occurs when:

a. Any player in the course of, or in connection with a match, offends against

the Code of Conduct or acts at any time to prejudice the good name or interests of the parties shown at 1.1.

b. Any club fails to properly control or discipline its players or acts in a manner prejudicial to the good name or interests of the parties shown at 1.1.

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

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

3.4. Reporting of Breaches

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

3.4.2. If any player receiving such a warning then commits a further Level 1 breach in the match, the umpire(s) will advise the player and his/her captain that they will be submitting a formal report.

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

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

3.4.5. The report should be submitted using the standard discipline report form. Where no umpire is present, a complaint may be submitted in writing either by letter, email or fax.

4. Procedure

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

4.2. Any such alleged breach of the Code of Conduct subject to a report (to be known as 'a complaint') will then be notified by telephone to the Competition Official responsible for Discipline or his nominated deputy within 24 hours of the end of the match. In the case of a friendly fixture the notification is made to Hertfordshire Cricket Limited. If in doubt, Hertfordshire Cricket Limited should be contacted for advice.

4.3. In the event of an alleged serious breach of the Code of Conduct the Discipline

Officer or Hertfordshire Cricket Limited has the power to immediately suspend a player or official from playing or participating in any form of cricket pending an investigation into the circumstances. This is particularly so in the case of an alleged assault or use of racist or homophobic language or behaviour.

4.4. The umpire's written report should be sent, preferably by email, to be received within 72 hours of the end of the match. Where no umpire is present the Complaint must be received within 5 days of the incident.

4.5. The Discipline Officer or his nominated deputy shall, as soon as reasonably practicable, inform the Secretary of the club against whom the complaint has been made.

4.6. Upon receipt of the umpire's report or any complaint of breach of the Code of Conduct, the relevant Discipline Officer will either solely or with the assistance of nominated colleagues determine the Level of Breach (1, 2, 3 or 4 or no case to answer).

4.7. In the case of Level 1 or 2 breaches the Discipline Officer will solely or with the assistance of nominated colleagues, determine the appropriate penalty and inform the Secretary of the players club accordingly, by letter or email.

4.8. If a suspension is imposed the correspondence will detail the date the ban becomes effective (Midnight on a Friday) and when the ban is completed (midnight on a Friday). The club will be responsible for informing the player.

4.9. Alternatively, the relevant Discipline Officer may decide to hold a Disciplinary Hearing. If the player admits the allegation, the Discipline Officer will either solely or with the assistance of nominated colleagues, determine the appropriate penalty and inform the Secretary of the players club accordingly, by letter or email. The club will be responsible for informing the player.

4.10. In respect of certain complaints e.g. violation of the media code or complaints against officials it may be necessary for the Discipline Officer to adopt a different approach. Once the complaint is received the Discipline Officer may contact the accused club/individual, give them a copy of the complaint and ask for a written response within a set timescale as determined by the Discipline Officer. On receipt of the response or if no response is received, the Discipline Officer may decide to contact known witnesses to establish the full facts. Once the information is gathered the Discipline Officer will then either solely or with the assistance of nominated colleagues determine if the complaint is valid. If not, the complaint will be dismissed and those involved informed accordingly. If so, depending upon the perceived level of the breach of conduct, the Discipline Officer, solely or with the assistance of nominated colleagues will determine the appropriate penalty and proceed as above. Alternatively, it may be decided to hold a Full Disciplinary hearing.

4.11. Any suspensions imposed by competition will be advised in writing to Hertfordshire Cricket Limited. Players should understand that match bans will normally apply to all cricket played under the auspices of ECB throughout England and Wales. Hertfordshire Cricket Limited will inform other relevant counties and competitions of the ban through the County Board network.

4.12. Any suspensions imposed by another County and advised to Hertfordshire Cricket Limited will apply to all cricket played within or for clubs affiliated to Hertfordshire.

4.13. In the case of an incident involving a player under the age of 18 years old, a County Safeguarding Officer will immediately be informed. In such circumstances, the incident may be regarded as:

- A welfare and child protection case; or
- An outright disciplinary case. If the incident is being investigated by another organisation (e.g. the Police, ECB Safeguarding Department etc) then that investigation takes precedence.

4.14. Clubs are strongly advised not to play suspended players and any such breach will be treated as a serious matter and dealt with robustly.

5. Disciplinary Hearings

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

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

5.3. At least seven days' notice in writing of the hearing shall be given to the player via his club Secretary. In the case of a club, its Secretary shall be so notified.

5.4. The notice shall specify the alleged breach or breaches of the Code of Conduct and the time, date and venue of the hearing.

5.5. The notice will also identify the members of the Discipline Panel in order that the player or club may raise any potential conflicts with the Discipline Chairman at least 3 days before the hearing.

5.6. If a conflict issue is raised, the Discipline Chairman will consider the circumstances and either dismiss the challenge or appoint an appropriate replacement Panel Member if required.

5.7. The accused player or club shall be entitled:

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

5.8. If the player or club is to have representation present at the hearing then the details of that representative must be provided to the Discipline Chairman not less than 48 hours before the date of the hearing.

5.9. The Hearing shall be conducted by a Disciplinary Panel appointed by the Discipline Chairman and shall consist of not less than three persons and not more than five persons drawn from a list approved by the relevant competition or Hertfordshire Cricket Limited. The Panel could comprise of two Members if circumstances dictate but the player and/or club subject of proceedings must agree.

5.10. None of the Panel should be connected with the player, the club or their opponents at the time of the alleged breach, or a club which might directly benefit from any disciplinary action. If there is any doubt the Discipline Chairman will determine if there is a conflict of interest and replace the Panel member if required.

5.11. 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.

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

5.13. The Discipline Hearing is not a Court of Law however the rules of natural justice will be followed. The Discipline Chairman will oversee proceedings to ensure that all parties are treated with respect, dignity and fairness.

5.14. The procedure for the discipline hearing is as follows:

- Introduction of all parties
- Outline of proceedings by the Chairman of Disciplinary Committee
- Confirm presence of accused player and/or club representative
- If accused absent, proceed if satisfied correct procedure of notification followed
- Details of allegation read out
- Accused asked to admit or deny the allegation
- If denied, allegation evidence heard with opportunity to question. If admitted, statement of facts read out
- Accused person's/team/club oral or written response followed by questions
- Any oral or written witnesses in support of accused player or club version of events and then open to questions if oral evidence

- Character witnesses called to give evidence to support accused and then open to questions
- If case is denied, Panel deliberation in private to determine if the allegation is proved or not proved
- If case is admitted or proved then review of player or club previous history.
- Mitigation opportunity by the player or club
- Sanction decided and player informed by his/her club
- All correspondence and committee minutes to be filed by the Discipline Officer and relevant bodies informed.

6. Penalties

6.1. As a guideline, the following penalties should be expected to be imposed for any complaint referred and, if appropriate, proved at a disciplinary hearing:

- Level 1: Suspended or 7-day to 14-day suspension
- Level 2: 14 to 42-day suspension
- Level 3: 28 to 70-day suspension
- Level 4: A minimum of 70-day suspension

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

The summer season is generally considered as commencing from the first Saturday in May and concluding on the first Sunday in September each year. Indoor League seasons vary so the Panel Chairman shall determine the start and end date of any 'close season' suspension.

6.3. The Discipline Officer or Panel shall have the power to impose one or more of the following penalties, together with such order as to costs deemed appropriate:

In the case of a player:

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

6.4. Panels will take the following factors into account when determining the penalties to be imposed:

- If the accused player/club has pleaded guilty
- The player's previous disciplinary 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
- If an appeal is considered to be spurious

6.5. In addition, where a person or their representative and/or witnesses behave inappropriately or fail to respect the formality at any level during a Disciplinary Hearing, the Disciplinary Panel may impose further corrective actions or penalties as it sees fit.

6.6. 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.

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

6.8. The competition shall report match bans in writing to Hertfordshire Cricket Limited for wider circulation. This is to prevent players playing whilst suspended. Any player or club who knowingly plays a suspended player will face severe punishment. Players should understand that match bans will normally apply to all cricket played under the auspices of ECB throughout England and Wales.

7. Appeals

7.1. Appeals shall only be allowed against an automatic ban instigated for Level 1 or 2 offences on the grounds of mistaken identity or misrepresentation or a significant failure of the umpires to follow correct procedures.

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

7.3. A notice of appeal setting out the grounds must be provided in writing to the Discipline Chairman within seven days of the players club being informed of the decision, together with a deposit of £50 if the appeal is by a player or £150 if the appeal is by a club.

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

7.5. The Appeal shall be by way of a hearing before a panel of persons not involved in the original decision or disciplinary hearing.

7.6. The Appeal Panel shall be appointed by the Discipline Chairman and shall consist of not less than three persons and not more than five persons drawn from a list approved by the Competitions Management Committee and/or Hertfordshire Cricket Limited.

7.7. No members of the Panel should be connected with the individual or the club or their opponents, or a club which might directly benefit from any disciplinary action or have been a member of the original Disciplinary Panel.

7.8. The notice will also identify the members of the Appeal Panel in order that the player or club may raise any potential conflicts with the Appeal Chairman at least 3 days before the hearing. If a conflict issue is raised, the Appeal Chairman will consider

the circumstances and either dismiss the challenge or appoint an appropriate replacement an Appeal Panel Member if required

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

7.10. If the player or club is to have representation present at the hearing then the details of that representation must be given to the Appeal Chairman not less than 7 days before the date of the hearing.

7.11. Non-attendance at a hearing of the Appeals Panel by the club or person that submitted the appeal without good and valid reason for such non-attendance will automatically result in forfeiture of their right of appeal. The absent Appellant will also be liable for all costs incurred by the Appeal.

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

7.13. The decision of the Appeals Panel shall be final and binding.

7.14. The Appeal Hearing is not a Court of Law however the rules of natural justice will be followed. The Appeal Chairman will oversee proceedings to ensure that all parties are treated with respect, dignity and fairness.

7.15. The procedure for the appeal hearing is as follows:

- Introduction of all parties
- Outline of proceedings by the Chairman of Appeal Committee
- Confirm presence of appellant and/or club representative
- If appellant absent, appeal dismissed
- If appellant present then Chairman to outline outcome of Discipline Hearing
- Details of grounds of appeal (against determination or sanction or both) read out
- Appellant asked to present appeal followed by questions
- Any oral or written witnesses in support of appellant version of events and then open to questions if oral evidence
- Character witnesses called to give evidence to support appellant and then open to questions
- Panel deliberation in private to determine if the appeal is upheld or dismissed
- If appeal is dismissed, then review of player or club previous history
- Mitigation opportunity by the appellant
- Sanction decided and player informed by his/her club
- All correspondence and committee minutes to be filed by the Discipline Officer and relevant bodies informed.

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 or Bedfordshire Cricket Ltd within 14 days of the Club being notified of such fine.

8.2. Any fines still outstanding at the end of that period shall be doubled, when the Secretary or Chairman of the offending Club shall be notified to the effect that the fine is outstanding.

8.3. If the fine is still outstanding after a further 14 days then sanctions may be applied to the player and players club until all monies are paid as follows:

- A point's deduction from respective League competitions
- Removal from a Cup or League Competition
- Additional Fines
- Suspension from all cricket.

8.4. In respect of other payments for costs incurred from hearings or other expenses owed these shall be treated as if they were a fine, except that points shall not be deducted. Such payment shall continue to double for each further twenty-eight day period that the payment remains outstanding and further sanctions as outlined in 8.3 may also be applied.

APPENDIX 1 – Breaches of Discipline

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 has been categorised into 4 levels which are set out below:

Level 1

- Time wasting by either the fielding side or the batting side
- Abuse of the cricket ground, equipment or fixtures
- Showing dissent at an umpire's decision by word or action
- Using language that is obscene, offensive or insulting and or the making of an obscene gesture
- Excessive appealing.

Level 2

- Showing serious dissent at an umpire's decision by word or action
- Inappropriate and deliberate physical contact between players in the course of play
- Charging or advancing towards an umpire in an aggressive manner when appealing
- 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
- Throwing the ball at or near a player, umpire or official in an inappropriate and dangerous manner
- Using language or gesture that is obscene or of a serious insulting nature to another player, umpire, team official or spectator
- Changing the condition of the ball other than as permitted by Law 42.3
- The bowling of fast short pitched balls that result in the bowler being disallowed from bowling further in that innings
- 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.

Level 3

- Intimidating an umpire
- Threatening to assault another player, team official or spectator
- 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
- The deliberate bowling of any high full-pitched ball contrary to Law 42.8.

Level 4

- Threatening an umpire
- Physical assault of another player, umpire, official or spectator
- Any act of violence on the field of play

- Using language or gestures that seriously offend, insult, humiliate, intimidate, threaten, disparage or vilify another person on the basis of that person's religion, sexual orientation, colour, descent or national or ethnic origin.

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

Hertfordshire Cricket Limited – Disciplinary Committee:

- Chairman – Nick Gilbert (nick.gilbert@hertscricket.org)
- Chief Executive Officer – Iain Fletcher (iain.fletcher@hertscricket.org)