



## CONDUCT OBLIGATIONS

### On and around the field of play

1. Any participant shall be in breach of these Regulations, at the relevant level of offence detailed below, if they do not conduct themselves fairly and properly on and around the field of play and otherwise in accordance with the Laws of Cricket or the Spirit of Cricket. A participant shall be in breach of these Regulations if they commit any misconduct on any match day as specified in Law 42 of the Laws of Cricket, namely:

#### **Level 1**

- a. discretionary issue. Issue of reprimand & warning as to future conduct
- b. wilfully mistreating any part of the cricket ground or any equipment or implements used in the match;
- c. showing dissent at an umpire's decision by word or action;
- d. using language that, in the circumstances, is obscene, offensive or insulting;
- e. making an obscene gesture;
- f. appealing excessively;
- g. advancing towards an umpire in an aggressive manner when appealing; and/or
- h. any other misconduct, the nature of which is, in the opinion of the umpires, equivalent to a Level 1 offence; or

#### **Level 2**

- a. showing serious dissent at an umpire's decision by word or action;
- b. making inappropriate and deliberate physical contact with another participant;
- c. throwing the ball at a participant, umpire or another person in an inappropriate and dangerous manner;
- d. using language or gesture to another participant, umpire, team official or spectator that, in the circumstances, is obscene or of a seriously insulting nature; and/or
- e. any other misconduct, the nature of which is, in the opinion of the umpires, equivalent to a Level 2 offence; or

#### **Level 3**

- a. intimidating an umpire by language or gesture; and/or
- b. threatening to assault a cricketer or any other person except an umpire; or

#### **Level 4**

- a. threatening to assault an umpire;
- b. making inappropriate and deliberate and/or dangerous physical contact with an umpire;
- c. physically assaulting a participant or any other person; and/or
- d. committing any other act of violence.
- e. 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 group.

- f. abuse of League Officials. This may be via varying methods – directly, social media, comments made to third parties etc. Abusers cannot hide behind the fact that they are not representing the club.
  - g. failure to comply with the decision of a Disciplinary Panel.
  - h. breach of ECB Covid-19 regulations, or other directives put in place to look after welfare and other vital issues.
  - i. non-payment of league Fees
2. Any coach, match official or Club Official shall be in breach of these Regulations if they fail to conduct themselves fairly and properly on any part of the cricket ground on any match day. Conduct which is not fair and proper and will therefore result in a breach of these Regulations shall include, but not be limited to:
- a. making inappropriate and deliberate and/or dangerous physical contact with, threatening to assault, physically assaulting, or committing any act of violence towards any other Participant (including an umpire) or any member of the public;
  - b. showing dissent at an umpire’s decision by language or gesture, advancing towards an umpire in an aggressive manner when appealing or intimidating an umpire by language or gesture;
  - c. using language that, in the circumstances, is obscene, offensive, insulting or seriously insulting;
  - d. making an obscene or seriously insulting gesture;
  - e. conducting themselves in a manner or acting in a manner which is improper, or which may be prejudicial to the interests of cricket, or which may bring the ECB, the game of cricket or any cricketer or group of cricketers into disrepute; and/or
  - f. acting in a manner contrary to the ECB’s Anti-Discrimination Code.
3. If an umpire considers that there has been an On-Field Breach, they must make reasonable efforts to inform the individual (or their captain or a Club Official) before they leave the ground and make a Disciplinary Report to the League Disciplinary Officer. This Disciplinary Report shall be made irrespective of any action the umpire may have taken on the field of play. Other individuals can also report On-Field Breaches either to the umpire, in which case the umpire will make a Disciplinary Report, or to the Disciplinary Officer directly by way of Written Complaint (for example, if the On-Field Breach relates to a match official). If there is no umpire appointed to a particular match, individuals can report On-Field Breaches to a captain or Club Official who can then make a Disciplinary Report on their behalf.

#### **Captain/Team responsibility**

4. If any participant commits three or more breaches of Regulation 4 (Conduct obligations on and around the field of play), which take place during or immediately before or after a match, when playing for the same Club in a season it shall automatically be a separate offence of failing to ensure that the relevant cricketers have complied with their obligations for each of:
- a. Any person who captained the team in each of the relevant match(es); and
  - b. The Club the participant was playing for.
5. Clubs shall also be held responsible for disorderly behaviour on any part of the cricket ground on any match day by their members and spectators, unless they can show that:
- a. they took adequate steps to ensure that their members and spectators behaved in an orderly fashion; and/or
  - b. they did not or could not control entry to that part of the cricket ground by the relevant spectators and it would therefore not be fair for them to be held responsible.

#### **Off-field conduct**

6. a. A Participant shall be in breach of these Regulations if they commit any misconduct as set out below which either relates to their participation in Recreational Cricket and/or is of a sufficiently serious nature to justify disciplinary action being taken in relation to their participation in Recreational Cricket:
- b. making an abusive, obscene, offensive, or otherwise insulting comment or gesture (in any form) in relation to any other Participant or any other person;

- c. any act of violence towards another person;
  - d. engaging in behaviour that constitutes any form of abuse or harassment, whether physical, sexual, emotional, neglectful, or bullying in nature;
  - e. any breach of the ECB Anti-Discrimination Code;
  - f. making any adverse public statement or comment in any form and by any means about the performance and/or decision(s) of any match official(s);
  - g. failing to report to their Club, any Relevant Criminal Offence for which they have been subject to investigation and/or charged with;
  - h. conducting themselves in a manner, or doing or omitting to do anything which is or may be prejudicial to the best interests of cricket, or which may bring or does bring the game of cricket, any Participant, Club, League, County Cricket Board, or the ECB, into disrepute;
  - i. any breach of Law 41; or
  - j. i. failing to comply with any decisions or sanctions validly imposed on them following due process as prescribed by these Regulations.
7. A Club shall be in breach of these Regulations if, at any time, it:
- a. fails to take reasonable steps to ensure the good behaviour and conduct of their Participants for any breach of these Regulations; and/or
  - b. knowingly permits a participant, who is suspended as a result of a previous breach of these Regulations, to play in any match or competition; and/or
  - c. any of its Participants commit any serious, collective, or repeated breaches of these Regulations; and/or
  - d. commits any breach of its obligations under the ECB Anti-Discrimination Code; and/or
  - e. e. fails to comply with any decision(s) and/or sanction(s) validly imposed on it or on any person within the organisation, which has arisen following due process as prescribed by these Regulations.
8. Participants are considered responsible for any relevant posts on their social media accounts and may be in breach of Regulations 9-11 for posting, repeating, commending or supporting posts or comments by others (e.g. 'retweeting' or 'liking') on social media.
9. If an umpire considers that there has been an Off-Field Breach which occurs on or around the field of play at a match, they will make reasonable efforts to inform the individual (or their captain or a Club Official) before they leave the ground and make a Disciplinary Report to the League Disciplinary Officer. Other individuals can also report an Off-Field Breach which occurs on or around the field of play at a match to the umpire, in which case the umpire will make a Disciplinary Report, or to the Disciplinary Officer directly (wherever the Off-Field Breach may have occurred) by way of a Written Complaint.
9. If the League is aware that the Referral relates to a cricketer who is registered with a First-Class County, a Regional Host or a Hundred Team, the Disciplinary Officer must inform the ECB's Integrity Department by email to [integrity@ecb.co.uk](mailto:integrity@ecb.co.uk) that the Referral has been received and provide any further information in respect of the disciplinary process that is requested by the ECB.

## **DISCIPLINARY PROCESS**

10. Following receipt of a Referral, a Disciplinary Officer must consider whether there is sufficient information and/or grounds to charge the relevant Participant, Club or League with a breach of these Regulations. If further information is required, the Disciplinary Officer shall conduct any further investigation that is necessary.
11. If there is sufficient information and/or grounds, the Disciplinary Officer will issue a Charge Letter to the Respondent or the Participant's Club to share with the Participant. If there is not, the Disciplinary Officer will inform the individual who submitted the Referral that no further action will be taken.
12. If the Disciplinary Officer decides that the matter does not require a Hearing, the Summary Procedure in Regulations 13-17 shall apply. If the Disciplinary Officer decides that the matter requires a Hearing, Regulations 18-27 shall apply.

## Summary Procedure

13. The Disciplinary Officer must provide the Charge Letter to the Disciplinary Chair and confirm to the Respondent (either in the Charge Letter or separately) the identity of the Disciplinary Chair.
14. If the Respondent objects to the Disciplinary Chair on the basis of a conflict of interest, the Disciplinary Officer must consider whether to appoint an alternative Disciplinary Chair to consider the conflict of interest and/or as the Disciplinary Chair in relation to the case.
15. The Disciplinary Chair will set the Respondent a reasonable timeframe to respond to the Charge Letter in writing, if they wish to, and provide any further information which may be relevant.
16. The Disciplinary Chair will consider the charge and determine whether, on the balance of probabilities, there has been a breach of these Regulations.
17. If the Disciplinary Chair decides that there has been a breach of these Regulations, they will impose a sanction in accordance with the sanction guidelines which appear in Appendix 3.
18. The Disciplinary Chair's decision will be communicated to the Respondent (and, where the Respondent is a Participant, the Participant's Club) in writing.

## Hearing

19. The Disciplinary Officer will appoint a Disciplinary Panel Chair and a Disciplinary Panel and arrange a Hearing. The Disciplinary Officer will confirm to the Respondent (either in the Charge Letter or separately) the identity of the Disciplinary Panel members, where and when the Hearing shall take place and, if the Hearing will take place virtually rather than in person, by what means.
20. In appropriate circumstances, including if the Respondent is not contesting the charge or does not wish to attend a Hearing, the Disciplinary Panel Chair may direct that the charge be considered by the Disciplinary Panel by way of written submissions only (i.e. without a Hearing) provided that a Hearing must be arranged if this is requested by the Respondent.
21. If the Respondent objects to any member of the Disciplinary Panel on the basis of a conflict of interest, it will be resolved by the Disciplinary Panel Chair unless the potential conflict has been raised in respect of the Disciplinary Panel Chair in which case the Disciplinary Officer will consider whether to appoint an alternative Disciplinary Panel Chair to consider the conflict of interest and/or be appointed to the Disciplinary Panel.
22. The Disciplinary Panel Chair will set the Respondent a reasonable timeframe to respond to the Charge Letter in writing and set any other directions for the exchange of information and/or evidence (which may include witness statements) that the Disciplinary Panel Chair considers appropriate.
23. In exceptional circumstances, the Disciplinary Panel Chair may suspend a Participant from participating in cricket until the Hearing has concluded. If so, the Disciplinary Panel Chair will give the Participant the opportunity to give written submissions on why it would not be appropriate to suspend the Participant and consider those submissions before making any decision. Any suspension which has been ordered will be taken into account by the Disciplinary Panel when considering what sanctions to impose in accordance with Regulation 26.
24. At the outset of any Hearing, the Disciplinary Panel Chair will confirm how the Disciplinary Panel would like the Hearing to proceed, and in particular how the case should be presented (and by whom). The Respondent will be entitled to provide oral submissions at the Hearing if they wish to do so.
25. At the end of any Hearing, the Disciplinary Panel will consider the charge (in private) and determine whether, on the balance of probabilities, there has been a breach of these Regulations. Any decision of the Disciplinary Panel will be taken by majority vote, with the Disciplinary Panel Chair having a casting vote in the event of a tie.

26. If the Disciplinary Panel decides that there has been a breach of these Regulations, it will impose a sanction in accordance with those laid out in the document entitled 'General Conduct Penalties'. Note that the penalties laid out in the general conduct penalties document are not exhaustive.
27. Unless the Disciplinary Panel directs otherwise, the parties will bear their own costs of preparing for and attending a Hearing.
28. Wherever possible, the Disciplinary Panel Chair will communicate the decision and any sanction to the parties verbally at the end of the Hearing. The Disciplinary Panel's decision will also be confirmed to the parties (and, where the Respondent is a Participant, the Participant's Club) in writing following the Hearing.

## **APPEALS PROCESS**

29. Any decision made by a Disciplinary Officer, or a Disciplinary Panel may be appealed by the Respondent. In order to commence an appeal, the Appellant shall submit to the Disciplinary Officer of the Appeal Body within 7 days of receipt of the decision in writing.
  - a. a Notice of Appeal; and
  - b. a non-refundable fee of £250 to cover the standard administrative costs (including travel & venue hire) of the Appeal Panel;
30. The Notice of Appeal must contain at least one of the following grounds of appeal:
  - a. the decision of the Disciplinary Officer or Disciplinary Panel was against the weight of the evidence;
  - b. there was a serious procedural irregularity, which includes the Disciplinary Officer or Disciplinary Panel not following the procedure set out in these Regulations, in a way which significantly impacted the rights of the Appellant;
  - c. there is fresh evidence (in which case the Notice of Appeal must state why the evidence could not be presented at the original Hearing); and/or
  - d. the decision of the Disciplinary Chair or Disciplinary Panel (including as to sanction) was irrational or unreasonable in the circumstances.
31. The Disciplinary Officer of the Appeal Body will determine whether the Notice of Appeal identifies sufficient grounds for an appeal and will notify the parties (and, where the Respondent is a Participant, the Participant's Club) and the Disciplinary Officer of the Relevant Disciplinary Body accordingly in writing. This decision of the Disciplinary Officer of the Appeal Body will be final.
32. If there are sufficient grounds for an appeal, the Disciplinary Officer will appoint an Appeal Panel Chair and an Appeal Panel and arrange an Appeal Hearing. No individual who was appointed as the Disciplinary Chair or as a member of the original Disciplinary Panel or who has otherwise been involved in the case shall be appointed to the Appeal Panel. The Disciplinary Officer will confirm to the Appellant the identity of the Appeal Panel members, where and when the Appeal Hearing shall take place and, if the Appeal Hearing will take place virtually rather than in person, by what means.
33. Unless otherwise determined by the Appeal Panel Chair, any sanction imposed by a Disciplinary Officer or Disciplinary Panel will not come into effect until the Appeal has been determined. If a Participant has been suspended from participating in cricket by a Disciplinary Panel and the Appeal Panel Chair considers that it may be appropriate for this sanction to be imposed before the Appeal has been determined, they will give the Participant the opportunity to give written submissions on why it would not be appropriate to suspend the Participant and consider those submissions before making any decision.
34. If the Respondent objects to any member of the Appeal Panel on the basis of a conflict of interest, it will be resolved by the Appeal Panel Chair unless the potential conflict has been raised in respect of the Appeal Panel Chair in which case the Disciplinary Officer will consider whether to appoint an alternative Appeal Panel Chair to consider the conflict of interest and/or be appointed to the Appeal Panel.
35. The Appeal Panel Chair will set the Relevant Disciplinary Body a reasonable timeframe in which to respond to the Notice of Appeal in writing, if it so wishes, and set any other directions for the exchange of information and/or evidence that the Appeal Panel Chair considers appropriate.

36. Unless the appeal is brought under Regulation 29.c, the Appellant has no right to a complete rehearing of the case and the Appeal Panel will instead consider whether the grounds of appeal have been made out. If an appeal is brought under Regulation 29.c, if the Appeal Panel determines that the fresh evidence is admissible the Appeal Panel shall re-hear the case in full.
37. At the outset of the Appeal Hearing, the Appeal Panel Chair will confirm how the Appeal Panel would like the Appeal Hearing to proceed, and in particular how the case should be presented (and by whom). The parties will be entitled to provide oral submissions at the Hearing if they wish to do so.
38. At the end of the Appeal Hearing, the Appeal Panel will consider the Appeal (in private) and determine whether, on the balance of probabilities, the Appeal should be allowed (in whole or in part). Any decision of the Appeal Panel will be taken by majority vote, with the Appeal Panel Chair having a casting vote in the event of a tie.
39. If the Appeal is allowed (in whole or in part), the Appeal Panel may disapply the sanction imposed by the Disciplinary Chair or Disciplinary Panel or issue a new sanction in accordance with the sanction's guidelines document entitled 'General Conduct Penalties'. Note that the penalties laid out in the general conduct penalties document are not exhaustive.
40. Mandatory non-refundable costs of £250 will be paid by the Appellant in advance regardless of the appeal outcome.
41. Wherever possible, the Appeal Panel Chair will communicate the decision and any sanction to the parties verbally at the end of the Hearing. The Appeal Panel's decision will also be confirmed to the parties (and, where a Participant is a party to the Appeal, the Participant's Club) in writing following the Hearing. Where the Appeals Body is a League, decisions of the Appeal Panel must also be provided to the Disciplinary Officer of the relevant County Cricket Board to which the League is affiliated.
42. Any decision of an Appeal Panel is final and binding and there is no further right of appeal.

#### **APPLICABILITY OF PENALTIES**

43. Following the Effective Date and being given notice of any penalty imposed under these Regulations, all Participants and Relevant Cricket Organisations shall recognise, give effect to and fully enforce any sanction imposed by any Disciplinary Chair or Disciplinary Panel under these Regulations.
44. If the Relevant Disciplinary Body is aware that the Respondent participates in multiple leagues and/or competitions, including competitions run by a County Cricket Board and/or the ECB, the Disciplinary Officer of the Relevant Disciplinary Body must communicate any sanction imposed under these Regulations to the Disciplinary Officer of the relevant competition organiser(s).

#### **MISCELLANEOUS**

45. Where the incident(s) leading to any charge relating to conduct occurred when any other disciplinary regulations were in force, then:
  - a. the offences which may be charged and the sanctions that may be applied shall be determined by the regulations that were in force at the time of the offence; and
  - b. the process to be followed will be determined by the regulations that were in force when the complaint was first brought to the attention of the Relevant Disciplinary Body.
46. Each Participant (and any other person whose personal data are obtained) must be provided with a privacy notice from the Relevant Disciplinary Body that explains the collection, processing, disclosure and use of information relating to the particular individual and their activities in connection with these Regulations and particularly for the conduct of any applicable disciplinary procedures and any associated issuing and recognition of penalties. The Relevant Disciplinary Body's Privacy Notice will be provided to the Participant (and, if applicable, each other person whose personal data are obtained) either at the point each

individual's personal data are obtained, or, if the personal data are not obtained from the individual themselves, when the relevant Participant is notified of any allegation made against them.