

MIDDLESEX COUNTY CRICKET LEAGUE DISCIPLINARY REGULATIONS 2018

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AIMS AND JURISDICTION

The England & Wales Cricket Board (ECB) is committed to maintaining the highest standards of behaviour and conduct. The Middlesex County Cricket League (the League), which operates within the jurisdiction of the ECB, takes this commitment very seriously.

To this end, these Discipline Regulations, incorporating major parts of the ECB Model Code of Conduct, the new MCC Laws and The Spirit of Cricket, are based on the ECB Premier League Disciplinary Regulations 2018 and have been adopted by the League with some modifications, to apply not just in the Middlesex Premier League but also in all competitions run under the auspices of the League.

These Regulations shall be complied with by all those who participate under the jurisdiction of the League's Management Committee. These Regulations shall apply to any player at any Club, at any level, under the auspices of the League.

These Regulations are intended to provide assistance and uniformity to all clubs in dealing with any alleged breach of the Code of Conduct, the new MCC Laws and The Spirit of Cricket and are aligned to ECB Non-First Class cricket procedures.

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 League, breaches these Regulations.

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

In the event that any incident or other matter occurs which is not provided for by these Regulations (whether it relates to conduct, jurisdiction, procedure or penalty), then the Chairman of the League's Discipline Committee (Discipline Chairman) or his nominated deputy may take such action as considered appropriate in the circumstances, taking into account the specific circumstances and the principles of natural justice and fairness

These Regulations shall not apply to penalties imposed on Clubs by the League's Management Committee for reasons other than the behaviour and conduct of Players or Clubs.

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 in any incident of alleged misconduct occurring on any part of a cricket ground or building and not merely the field of play.

1. CODE OF CONDUCT AND SPIRIT OF CRICKET

1.1. Code of Conduct

- 1.1.1. The League is 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 or by joining their respective club, explicitly agree to abide by this Code of Conduct, which incorporates the Spirit of Cricket, and are bound by the provisions in these Regulations.
- 1.1.2. The major responsibility for ensuring fair play rests with the captains, but extends to all players, umpires and coaches.
- 1.1.3. Players and club officials must at all times accept the umpire's decision. Players and club officials must show self-discipline, even when things go against them. This means not

showing dissent at the umpire's decision or reacting in a provocative or disapproving manner towards another player or a spectator.

- 1.1.4. Players and club officials shall not intimidate assault or attempt to intimidate or assault an umpire, another player, a club official or a spectator.
- 1.1.5. 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.
- 1.1.6. 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 age, race, religion, sexual orientation, colour, descent or national or ethnic origin.
- 1.1.7. Players and club officials shall not use or in any way be concerned in the use or distribution of illegal drugs.
- 1.1.8. Players and club officials shall not make any public or media comment which is detrimental to the interests or reputation of other Participants, the League, clubs, umpires or the game in general. In this instance, media shall include (but not necessarily be limited to) press, radio, television, external websites, club websites, social networking sites and club match programmes. Nothing in this provision shall prevent any comment which constitutes honest opinion in regard to cricketing matters and which is made in a fair and respectful manner.
- 1.1.9. Players and club officials shall not disclose or comment upon any alleged breach of this Code (save as necessary to implement the provisions of these Regulations) until the outcome of any disciplinary process initiated under these Regulations has been finally disposed of.
- 1.1.10. Clubs must take adequate steps to ensure the good behaviour of their players, officials, members and supporters.

1.2. **Spirit of Cricket**

Cricket owes much of its appeal and enjoyment to the fact that it should be played not only according to the Laws, but also within the Spirit of Cricket.

The major responsibility for ensuring fair play rests with the captains, but extends to all players, umpires and, especially in junior cricket, teachers, coaches and parents.

Cricket is an exciting game that encourages leadership, friendship and teamwork, which brings together people from different nationalities, cultures and religions, especially when played within the Spirit of Cricket

- 1.2.1. There are 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.

Players' Conduct

In the event of any player failing to comply with the laws relating to Player Conduct or Unfair Play the umpires shall summon and inform the offending player's captain that an offence has occurred and will request that the captain take appropriate action.

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.

- 1.2.2. **Unfair Play**

According to the Laws, the umpires shall be the sole judges of fair and unfair play. If either umpire considers an action, not covered by the Laws, to be unfair he/she shall intervene

without appeal and, if the ball is in play, call and signal Dead ball and implement the procedure as required.

1.2.3. League Umpires and Recognised Umpires (as defined in paragraph 2.4 below), **are authorised to intervene in cases of:**

- Damaging the ball
- Distracting the batsman
- Unfair bowling
- Time wasting
- Damaging the pitch
- Non-striker leaving his/her ground early
- Any other action that they consider to be unfair

1.2.4. **Respect is central to the Spirit of Cricket.**

- - Respect the captain, team-mates, opponents and the authority of the umpires.
- - Play hard and play fair.
- - Accept the umpire's decision.
- - Create a positive atmosphere by your own conduct, and encourage others to do likewise.
- - Show self-discipline, even when things go against you.
- - Congratulate the opposition on their successes, and enjoy those of your own team.
- - Thank the officials and your opposition at the end of the match, whatever the result.
- - Cricket is an exciting game that encourages leadership, friendship and teamwork, which brings together people from different nationalities, cultures and religions, especially when played within the Spirit of Cricket.

1.2.5 **Violence**

There is no place for any act of violence on the field of play and if reported and guilty this act will be dealt with as a Level 4 offence.

1.3. Failure to comply with the provisions of the Code of Conduct may lead to disciplinary action by the League, Middlesex Cricket or any other authorised body, irrespective of a proven breach being related to a match not under the jurisdiction of the League.

2. BREACHES AND REPORTING

2.1. A breach of these 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 League .
- b) Any club fails properly to control or discipline its players or acts in a manner prejudicial to the good name or interests of the League.

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

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

2.4 Reporting of Breaches by umpires

- 2.4.1. Subject to paragraph 2.4.5, 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 advise him and his captain that they will be submitting a formal disciplinary report. In first eleven matches, the umpires should warn the player and his captain that any further Level 1 breach by that or any other player from the same team will also result in a 5 run penalty as per Law 42.2.4.
- 2.4.2. If any player receiving such a warning commits a further Level 1 breach in the match or any other player on the same team subsequently commits a Level 1 breach in the same match, the umpires should advise him and his captain that they will be submitting a formal report. In first eleven matches, the umpires should also award five penalty runs to the other side
- 2.4.3. In all instances of any perceived Level 1, 2, 3 or 4 breach, the umpires should complete a formal discipline report. In first eleven matches, the umpires should also apply the appropriate on-field sanctions as set out in Law 42.
- 2.4.4. Notification that a report is to be submitted following any alleged breach of the Code of Conduct must first be advised, whenever practicable, by the umpire(s), to the player and his captain or an executive of the player's club, on the day of the alleged offence, prior to leaving the ground.
- 2.4.5 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 by the complainant to the Discipline Chairman (as defined above) within 24 hours of the end of the match. In first eleven matches, the report should be submitted using the umpires' electronic reporting system. In other matches, the written report should be sent, preferably by email, to the Discipline Chairman and be received within 72 hours of the end of the match.
- 2.4.5. This paragraph 2.4 only applies where at least one of the umpires is a League Umpire or a Recognised Umpire.
- 2.4.6 In these Regulations, a League Umpire is a Member of the League's Panel of Umpires or an umpire otherwise appointed by that Panel (for example an umpire on exchange from another League). A Recognised Umpire is (i) any other umpire who (a) has any form of ACO accreditation and (b) has an ACO membership current at the time of the match; or (ii) any other umpire who has applied to and been recognised by the League's Management Committee as an experienced umpire.

2.5. Reporting of Breaches by Players

- 2.5.1. In any match where a League or Recognised Umpire is standing any allegation of a breach of the Code of Conduct by a player made against another player which arises from an incident during the course of a match or on the field of play should be reported by a team's captain to the League or Recognised Umpire(s).
- 2.5.2. Any allegation of a breach of the Code of Conduct by a player made against another player which does not fall within paragraph 2.5.1 should, ideally, be notified to the Discipline Chairman and the Secretary of the League promptly after the incident giving rise to the allegation. Subject to any direction from the Discipline Chairman, a written report should be produced, which should allow the Discipline Chairman to understand i) the background to the alleged incident, ii) why a breach of the Code of Conduct is alleged and iii) the Level of breach alleged. Where possible, notifications and reports should be submitted to the Discipline Chairman by a club secretary (or in such other manner as may be directed by the Discipline Chairman).
- 2.5.3. The Discipline Chairman shall have an overriding discretion to accept or decline reports submitted under paragraph 2.5.2.

- 2.5.4. Any complaints submitted under paragraph 2.5.2 must be made in good faith. The submission of a report which is trivial, vexatious, made for tactical reasons or otherwise improper may itself be treated as a breach of the Code of Conduct.

3. PROCEDURE

- 3.1. The Discipline Chairman shall, as soon as reasonably practicable, inform the Secretary of the club against whom the complaint has been made.
- 3.2 Any action the Discipline Chairman may take in respect of complaints from first eleven matches shall be in addition to the on-field action taken by the umpires under Law 42. There is no power to rescind such an on-field sanction.
- 3.3 Any Level 1 or Level 2 breach of the Code of Conduct shall in the first instance be dealt with by the Discipline Chairman. In the case of Level 1 and Level 2 breaches, this shall as an indicator, be a minimum of a final warning (Level 1) or two match (Level 2) ban to be served with immediate effect.
- 3.4. Within 48 hours of receipt of the written complaint, the Discipline Chairman or his nominated deputy shall consider the complaint and resolve:
- a) To impose a penalty; or
 - b) To take no action except to record the complaint and notify the club; or
 - c) To refer the matter for a Disciplinary Hearing.

Level 3 or 4 complaints will automatically be subject to a Disciplinary Hearing and in the case of such a complaint against a player, unless the Discretionary Chairman in his absolute discretion decides otherwise, that player will be automatically banned from playing any matches run under the auspices of the League pending the outcome of the Hearing.

- 3.5. Any match/time sanctions imposed under paragraph 3.4. above, shall be advised in writing by the Discipline Chairman or his nominated deputy to Middlesex Cricket. Players should understand that match/time bans will normally apply to all cricket played under the auspices of ECB.
- 3.6. In the case of an incident involving a player under the age of 18 years old, the Middlesex Cricket Welfare Officer will immediately be informed. In such circumstances, the incident may be regarded as:
- a) A welfare and child protection case or
 - b) An outright disciplinary case. If the incident is being investigated by another organisation (e.g. the Police, ECB Safeguarding Department) the League will await the outcome of that investigation.
- 3.7 In the case of a registered player being the subject of a complaint, the National Leagues & Competitions Manager to be advised immediately by telephone or email by the Secretary of the League and/or to the Chairman of the League or the Chairman of the League Disciplinary Committee.

4. DISCIPLINARY HEARINGS

- 4.1. In any case which is referred for a Disciplinary Hearing, 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.

- 4.2. Where a charge against a player is referred to a Disciplinary Hearing, his captain and club may be charged separately under their responsibilities as set out in the Code of Conduct above.
- 4.3. 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. The notice shall specify the alleged breach(es) of the Code of Conduct above.
- 4.4. The accused player or club shall be entitled:
 - To submit written statements ahead of the hearing
 - To attend the hearing
 - To state his case (in the case of a club, by its Secretary or other official)
 - To be legally represented or supported by a colleague and
 - To call witnesses.
- 4.5. If the player or club is to have representation present at the hearing then the details of that representation must be given to the Discipline Chairman not less than 48 hours before the date of the hearing.
- 4.6. 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 League's Management Committee. The Discipline Chairman shall appoint one of the Disciplinary Panel members to act as Chairman of the Disciplinary Panel. 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.
- 4.7. 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.
- 4.8. The standard of proof shall be on the 'balance of probabilities' rather than the criminal standard of 'beyond reasonable doubt'.

5. PENALTIES

- 5.1. As a guideline, the following indicative penalties should be expected to be imposed for any complaint referred and, if appropriate, proved to the Discipline Chairman or his nominated deputy or at a Disciplinary Hearing. The higher end of the tariff band is most likely to be reserved for serial offences/offenders:-
 - Level 1 Final warning to 6 matches and/or appropriate/equivalent time ban
 - Level 2 2 to 8 matches and/or appropriate/equivalent time ban
 - Level 3 4 to 10 matches and/or appropriate/equivalent time ban
 - Level 4 A minimum of 10 matches and/or appropriate/equivalent time ban
 These sanctions apply to all cricket played under the auspices of ECB.
- 5.2. Where applicable, penalties will be carried over to apply in the following season.
- 5.3. Where the complaint is decided by the Discipline Chairman or his nominated deputy and not referred to a Disciplinary Hearing, repeated infringements, listed on umpires' reports, by the individual player or Club which is the subject of the relevant complaint may still result in additional penalties as laid out in 5.6 below.

5.4. If at a hearing a breach of the Code of Conduct is proven, the Disciplinary Panel shall have the power to impose one or more of the following penalties, together with such order as to costs as it deems appropriate:

In the case of a player:-

- To require 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, not to exceed £500
- To ban the player for one or more matches, or for a stated period of time
- To deduct League points from the player's team
- To expel the player from the League

In the case of a club:-

- To require 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

5.5. The Disciplinary Chairman or his nominated deputy and Panels will take the following factors into account when determining the penalties to be imposed:

- a) If the accused player/club has pleaded guilty
- b) The player's previous disciplinary record
- c) If the player is also the captain
- d) The conduct of the player subsequent to him being warned and told that he will be reported
- e) in the case of an appeal, if that appeal is considered to be spurious

5.6. In addition, where an individual behaves inappropriately or fails to respect the formality at any level during a Disciplinary Hearing, the Disciplinary Panel assumes the right to impose further corrective actions or penalties as it sees fit.

5.6.1 Where a representative and/or witness(es) behaves inappropriately or fails to respect the formality at any level during a Disciplinary Hearing this can be dealt with under the code by having a separate hearing.

5.7. 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.

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

6. APPEALS

6.1.1 Subject to 6.1.2, where either the Discipline Chairman has imposed a penalty pursuant to paragraph 3.4 a) above or 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.

- 6.1.2 There shall be no right of appeal against a minimum ban imposed by the Discipline Chairman for a Level 1 or 2 offence save on the grounds of mistaken identity, misrepresentation or (where the breach was reported by the umpire(s) under 2 above) failure of the umpire(s) to follow the procedures in Paragraph 2 above.
- 6.2. A notice of appeal setting out the grounds must be given in writing to the Discipline Chairman within seven days of the decision of the Discipline Chairman or the Disciplinary Panel as the case maybe, together with a deposit of £100 if the appeal is by a player or £250 if the appeal is by a club.
- 6.3. 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.
- 6.4. The Appeal shall be by way of a new hearing before a different Panel. The Appeal Panel shall be appointed by the Discipline Chairman or, in the case of an appeal against a penalty imposed by the Discipline Chairman, the Chairman or Secretary of the League and shall consist of not less than three persons and not more than five persons drawn from a list approved by the League's Management Committee. None of the Panel should be connected with the 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.
- 6.5. The player or club shall have the same entitlements as set out in 4.4 above.
- 6.6. If the player or club is to have representation present at the hearing then the details of that representation must be given to the Discipline Chairman not less than 7 days before the date of the hearing.
- 6.7. Non-attendance at a hearing of the Appeals Panel by the appellant club or person without good and valid reason for such non-attendance will automatically result in forfeiture of their right of appeal and of their deposit.
- 6.8. The Appeals Panel may confirm, vary or reverse the decision of the Discipline Chairman (in relation to an appeal against a penalty imposed by him under 3.4 a)) or the Disciplinary Panel (in relation to an appeal against a decision of that 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.
- 6.9. The decision of the Appeals Panel or, if no appeal, of the Discipline Chairman or Disciplinary Panel, shall be final and binding.

7. NON-PAYMENT OF FINES

- 7.1. Any fine levied under these procedures or imposed for the breach of any match rule must be paid to the Treasurer of the League within twenty-eight days of the Club being notified of such fine.
- 7.2. 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.

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

- a) Time wasting by either the fielding side or the batting side which in first eleven matches may result in a 5 run penalty or the bowler being disallowed from bowling any further in that innings in accordance with Laws 41.9 and 41.10
- b) wilfully mistreating any part of the cricket ground, 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*
- h) bowling a dangerous or unfair short-pitched delivery and/or an accidental non-pitching delivery that results in the bowler being disallowed from bowling any further in that innings in accordance with Laws 41.6 and 41.7.
- i) any other misconduct, the nature of which is, in the opinion of the umpires, equivalent to a Level 1 offence*.

Level 2

- a) showing serious dissent at an umpire's decision by word or action*
- b) making inappropriate and deliberate physical contact with another player*
- c) deliberate distraction, deception or obstruction on the field of play under Law 41.4 or 41.5.
- d) throwing the ball at a player, umpire or another person in an inappropriate and dangerous manner*
- e) using language or gesture to another player, umpire, team official or spectator that, in the circumstances, is obscene or of a seriously insulting nature*
- f) causing avoidable damage to the pitch which in first eleven may result in a 5 run penalty being awarded under Laws 41.12.3, 41.14.3 and 41.15.3.
- g) any other misconduct, the nature of which is, in the opinion of the umpires, equivalent to a Level 2 offence*.

Level 3

- a) intimidating an umpire by language or gesture*
- b) threatening to assault a player or any other person except an umpire*.
- c) using language or gesture that offends, insults, humiliates, intimidates, threatens, disparages or vilifies another person on the basis of that person's race, religion or belief, colour, descent, national or ethnic origin, age, disability, gender, sexual orientation or background.
- d) Deliberately bowling a non-pitching delivery which is deemed dangerous and unfair in accordance with Law 41.7

Level 4

- a) threatening to assault an umpire*
- b) making inappropriate and deliberate physical contact with an umpire*
- c) physically assaulting a player or any other person*
- d) committing any other act of violence*.
- e) using language or gesture that seriously offends, insults, humiliates, intimidates, threatens, disparages or vilifies another person on the basis of that person's race, religion or belief, colour, descent, national or ethnic origin, age, disability, gender, sexual orientation or background.

In Levels 1 to 4, offences marked with an asterisk are in first eleven matches capable of attracting on-field sanctions under Law 42.

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

Social media

For the avoidance of doubt, any postings online and/or on social media (Twitter, Facebook or similar/equivalent platforms) also fall to be determined in accordance with the factors above. In relation to such cases, it should be noted:

1. Players are to be considered responsible for any posting(s) on their social media account(s) which are caught by the factors detailed above (the fact that a posting may have been made by someone else in the Player's name will not necessarily prevent disciplinary action being taken);
2. Disciplinary action may result from repeating comments made on social media by others (e.g. 'retweeting') which are caught by the factors detailed above; and
3. The deleting of any inappropriate content, whilst advisable, does not of itself prevent disciplinary action being taken.

APPENDIX 2 - MUTUAL RECOGNITION CLAUSE

It is intended that League will work with Minor Counties and County Boards to ensure these Disciplinary Guidelines have the greatest effect.

The League shall report match bans in writing to the relevant club's County Board, who will also inform the ECB, in accordance with the conditions set out at a) to c) below. In the case of a Minor County Player being the subject of a sanction the Minor County Cricket Association must be advised.

- a. Information about penalties imposed under these discipline regulations shall be shared with individuals at the club and County Board on a need to know basis, for example with individuals who need to be informed in order to give effect to the penalty;
- b. Information about match bans held by the County Board shall be shared with other clubs only for the purposes of ensuring recognition of penalties by other clubs; and
- c. Individuals subject to these discipline regulations must be made aware by their clubs that by playing in matches under the jurisdiction of the ECB, they agree that information about penalties imposed on them will be shared with the County Boards, ECB and other clubs in accordance with these discipline regulations.
- d. All clubs that play in ECB competitions or in County Board affiliated Leagues shall recognise and give full effect to any match ban, and/or any other penalty, imposed pursuant to by these discipline regulations by a League within that County Board boundary and any other County Board boundary.

Note:-

All clubs that play in ECB competitions or in County Board affiliated Leagues shall also give effect to any match bans, and/or other penalties, imposed pursuant to any other disciplinary regulations as directed by the ECB.