**Wiltshire Cricket Limited Player Disciplinary Procedures**

\*These procedures and regulations apply to competitions organised and managed by Wiltshire Cricket Limited

\* 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. We 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, 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 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 League, clubs, umpires or the game in general. In this instance, media shall include press, radio, television, external websites, club websites, social networking sites and club match programmes.

1.1.9. Players and club officials shall not disclose or comment upon any alleged breach of this Code.

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 they 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. **The umpires are authorised to intervene in cases of:**

Damaging the ball

Distracting the batsman

Unfair bowling

Time wasting

Damaging the pitch

Non striker leaving the ground early

* Penalty runs

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, irrespective of a proven breach being related to a match not under the jurisdiction of the League.

**2. BREACHES**

2.1. 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 of interests of the Leagues

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 Leagues.

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**

2.4.1. To be official, notification of a dispute or complaint must come from either:
(i) A club chairman or secretary, writing on behalf of the club
(ii) An appointed umpire
(iii) Any umpire reporting an incident when required to do so by the Laws of Cricket
(iv) A team captain, manager (in junior cricket), or any umpire standing at the time of an incident, in a report supported by the club chairman or secretary, of an incident of abuse, dissent or absence of the Spirit of the Game

2.4.2. On receipt of a complaint, the Wiltshire Cricket Limited Board of Directors shall resolve either to:
(i) Take no action, or
(ii) Note the content and issue a warning, or
(iii) Endorse any action already taken by the club(s) involved, or
(iv) If the report is from an appointed (by WCL) umpire, impose a penalty without a hearing, or
(v) Ask the offending club to take action, or
(vi) Call for a Disciplinary Hearing

2.4.3. Wiltshire Cricket Limited expects clubs to take ownership of disciplinary issues. Under (2.4.2)(v) above, Wiltshire Cricket Limited will inform the club of the misconduct cited. The club must hold its own disciplinary meeting and report back to Wiltshire Cricket Limited its findings and actions taken. The club meeting must take place and WCL must receive the report back within 7 days of the request for action by the league. The club may seek advice and further information about an allegation from WCL and may request, for good reason, an extension to the deadline. The club must refer to the tariff of penalties and apply immediately the appropriate penalty when it concludes that an offence has occurred. The club must report the conclusion of the meeting (that penalties should or should not be applied) and actions taken (e.g. that sanctions have actually been applied).

2.4.4. On receiving the report back from the cited club, Wiltshire Cricket Limited will either:
(i) Agree with the club’s decision and action, thus closing the matter, or
(ii) Call a Disciplinary Hearing, or
(iii) Give an order (with reasons and full evidence) to the offending club to impose a specified penalty.

2.4.5. In the case of an incident involving a player under the age of 18 years old, the County Board 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. DISCIPLINARY HEARINGS**

3.1. In any case which is referred for a Disciplinary Hearing, the Wiltshire Cricket Limited 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.

3.2. 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.

3.3. 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.

3.4. 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 supported by a colleague and to call witnesses.

3.5. If the player or club is to have representation present at the hearing then the details of that representation must be given to the Wiltshire Cricket Limited Chairman not less than 48 hours before the date of the hearing.

3.6. The Hearing shall be conducted by a Disciplinary Panel appointed by the Wiltshire Cricket Limited Chairman and shall consist of not less than three persons and not more than five persons drawn from a list approved by the Wiltshire Cricket Limited Board of Directors. 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.

3.7. 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.

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

**4. PENALTIES**

4.1. As a guideline, the following indicative penalties should be expected to be imposed for any complaint referred and, if appropriate, proved 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.

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

4.3. Where the complaint is not referred to a Disciplinary Hearing, repeated infringements, listed on umpires reports, by an individual player or by a Club may still result in additional penalties as laid out in 5.4 below.

4.4. 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 suspend 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

4.5. 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. If an appeal is considered to be spurious

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

4.6.1 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.

4.7. 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.

4.8. 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 Wiltshire Cricket Limited Chairman shall have a casting vote.

4.9. Wiltshire Cricket Limited shall report match bans in writing to county leagues and neighbouring County Boards for national circulation. Players should understand that match bans will normally apply to all cricket played under the auspices of ECB. The ECB Premier Leagues will also recognise suspensions from other Leagues.

**5. APPEALS**

5.1. Once a penalty has been imposed without a hearing following an appointed umpire’s report, or a Disciplinary Hearing has imposed a penalty, or once a club has been ordered by the Wiltshire Cricket Limited to impose a penalty different from the penalty that the club proposed, a player, official or club shall have the right to appeal as long as there are grounds. Grounds for appeal must be either that it is clear or alleged that evidence was missed or new evidence has come to light, or that the due process was not followed. Notice of Appeal, setting out the grounds, shall be sent in writing to the Wiltshire Cricket Limited chairman within 7 days of the notification of the penalty. If Notice of Appeal is given, the penalty shall not take effect pending the hearing of the appeal. The player, official or club lodging an appeal in these circumstances must send a deposit of £50 to the league. The deposit will only be returned if a penalty is reduced or cancelled on appeal.

5.2. If a club appeals against such a penalty it must provide a statement of the grounds for the appeal. In these cases the appeal will be considered at the next Wiltshire Cricket Board meeting who may either turn down the appeal, or uphold the appeal, or decide a new hearing is required.

5.3. There is no appeal to Wiltshire Cricket Limited against a penalty proposed by a club and imposed, whether on behalf of the league or not, on its own members.

5.4. The decision of the Appeals Panel or, if no appeal, of the Disciplinary Panel, shall be final and binding.

**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**

1. Time wasting by either the fielding side or the batting side which results 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.
2. wilfully mistreating any part of the cricket ground, equipment or implements used in the match
3. showing dissent at an umpire’s decision by word or action
4. using language that, in the circumstances, is obscene, offensive or insulting
5. making an obscene gesture
6. appealing excessively
7. advancing towards an umpire in an aggressive manner when appealing
8. 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.
9. any other misconduct, the nature of which is, in the opinion of the umpires, equivalent to a Level 1 offence.

**Level 2**

1. showing serious dissent at an umpire’s decision by word or action
2. making inappropriate and deliberate physical contact with another player
3. charging or advancing towards an umpire in an aggressive manner when appealing
4. deliberate distraction, deception or obstruction on the field of play under Law 41.4 or 41.5.
5. throwing the ball at a player, umpire or another person in an inappropriate and dangerous manner
6. using language or gesture to another player, umpire, team official or spectator that, in the circumstances, is obscene or of a seriously insulting nature
7. causing avoidable damage to the pitch that results in a 5 run penalty being awarded under Laws 41.12.3, 41.14.3 and 41.15.3.
8. any other misconduct, the nature of which is, in the opinion of the umpires, equivalent to a Level 2 offence.

**Level 3**

1. intimidating an umpire by language or gesture
2. threatening to assault a player or any other person except an umpire.
3. 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.
4. Deliberately bowling a non-pitching delivery which is deemed dangerous and unfair in accordance with Law 41.7

**Level 4**

1. threatening to assault an umpire
2. making inappropriate and deliberate physical contact with an umpire
3. physically assaulting a player or any other person
4. committing any other act of violence.
5. 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.

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

**APPENDIX 2 - MUTUAL RECOGNITION CLAUSE**

It is intended that Leagues will work with Minor Counties and County Boards to ensure

these Disciplinary Guidelines have the greatest effect.

The first section refers to the sharing of information between cricket bodies and also advises

the players this will happen:

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.

1. Information about penalties imposed under these discipline regulations shall be shared with individuals at the club, leagues 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;
2. Information about match bans held by the County Board shall be shared with other clubs and leagues only for the purposes of ensuring recognition of penalties by other clubs; and
3. 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, Leagues, ECB and other clubs in accordance with these discipline regulations.

The second section refers to the recognition of penalties imposed by others.

The wording above has been agreed with ECB lawyers and the Cricket Discipline

Commission and as a consequence it is appropriate for us to highlight that :-

1. 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 the boundaries of the listed neighbouring Counties and Leagues (name of neighbouring Leagues to be inserted)