

**JOLLY'S DRINKS CORNWALL  
CRICKET LEAGUE**



**Disciplinary Regulations**

**2016**

## **Section D DISCIPLINE**

The Disciplinary Regulations of the Cornwall Cricket League relating to alleged breaches of the Code of Conduct and the Spirit of Cricket

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### **26 AIMS AND JURISDICTION**

- 26.1 The England & Wales Cricket Board (ECB) is committed to maintaining the highest standards of behaviour and conduct in the game of cricket. As an affiliated league, the Cornwall Cricket League (CCL) accepts and takes this commitment very seriously.
- 26.2 To this end, these discipline regulations, incorporating a Code of Conduct and The Spirit of Cricket, have been adopted by the CCL and are intended to provide guidance and ensure uniformity in dealing with any alleged breach of the Code of Conduct.
- 26.3 These regulations shall be complied with by all those who participate in competitions or league cricket or any cricketing activity under the jurisdiction of the CCL League Management Committee (LMC); this shall include players, clubs, club officials, club members and match officials and club supporters.
- 26.4 Subject to the mutual recognition provisions (34), the LMC shall be responsible for the enforcement and administration of the disciplinary regulations in relation to the participants registered to the League and/or participating in cricket related activities under its auspices. All participants by virtue of their registration with the League and/or participation in cricket related activities under its auspices agree to be bound by the disciplinary regulations.
- 26.5 All participants are required to co-operate with the LMC in regard to discipline. Any club that fails to take all reasonable steps to ensure the proper conduct of its players, officials and/or members or spectators 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 CCL, breaches this Code of Conduct. For the purposes of these regulations, the expression 'player' shall throughout this document be deemed to mean and include any player, whether professional or otherwise, involved in any incident of alleged misconduct occurring on any part of a cricket ground or buildings and not merely on the field of play.
- 26.6 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 (see Rule 37 for a model club discipline procedure)
- 26.7 For the purposes of these regulations, the expression 'Club' shall throughout this document be deemed to include any person associated with a club whether official, casual or spectator who is involved in any incident of alleged misconduct occurring on any part of a cricket ground or buildings and not merely on the field of play.
- 26.8 For the purposes of these regulations, any reference to the male gender applies equally and without prejudice to the female gender. The CCL fully supports and applies the ECB policies on Equity, Anti Doping, Anti Corruption and all ECB Directives.
- 26.9 Complaints relating to alleged breaches of the administrative rules and regulations of the CCL must be referred to the CCL as described in Rule 39.

- 26.10 It is to be remembered at all times that the core aim of these regulations is to maintain the highest standards of behaviour and conduct in the game of cricket. The procedures detailed here are intended to be fair, straightforward and proportionate to the needs of the league and participants respecting fundamental principles of natural justice and fairness but recognising that those involved will not be and do not need to be legally qualified. Therefore, provided the principles are not infringed, minor practical or technical points will not serve to invalidate the procedure or any decisions or findings under the disciplinary regulations.
- 26.11 In the event that any incident or other matter occurs which is not provided for in these disciplinary regulations, then the Chairman of the Disciplinary Committee, or his deputy, or the Committee itself may take such action as considered appropriate in the circumstances, taking the specific circumstances and principles described above into account.

## **27 CODE OF CONDUCT AND THE SPIRIT OF CRICKET**

### **27.1 Code of Conduct**

- 27.1.1 The Captains are responsible at all times for ensuring that play is conducted within the Code of Conduct and the Spirit of Cricket as well as within the Laws.
- 27.1.2 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, official or spectator.
- 27.1.3 Players and club officials shall not intimidate, assault or attempt to intimidate or assault an umpire, another player, any official or a spectator.
- 27.1.4 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.
- 27.1.5 No persons as defined in 26.7 shall use language, gestures or actions that offends/seriously offends, discriminates against, insults, humiliates, threatens, disparages, or vilifies another person on the basis of that person's actual or perceived age, disability, gender identity, race (including colour, ethnic origin and nationality), religion or belief, sex (gender), sexual orientation or socio-economic background.
- 27.1.6 No persons as defined in 26.7 shall use or in any way be concerned in the use or distribution of illegal drugs.
- 27.1.7 Participants shall not make any public or media comment which is detrimental to the League, clubs, umpires or the game in general. In this instance, public or media comment shall include press, radio, television, external websites, club websites, social networking sites and club match programmes. See also section 35.
- 27.1.8 Participants shall not disclose or comment upon any alleged breach of this Code or the Spirit upon hearing any report or decision arising from such breach.
- 27.1.9 Clubs must take adequate steps to ensure the good behaviour of their players, officials, members and supporters.

### **27.2 The Spirit of Cricket**

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

- 27.2.1 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 a 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.

- 27.2.2 **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 requirement.
- 27.2.3 **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.
- 27.2.4 **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
- 27.2.5 **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
- 27.2.6 **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:
- Appeal, knowing the batsman is not out
  - Advancing towards an umpire in an aggressive manner when appealing
  - 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.
- 27.2.7 **Violence**  
There is no place for any act of violence on the field of play.
- 27.3 **Failure to comply with any of the provisions of Rule 27 in any competition or league match played under the auspices of the CCL may lead to disciplinary action, whether or not a formal umpire report has been made. Any penalty applied by another cricketing authority in any competition or league under the overriding auspices of the ECB will be accepted and discharged if required by the CCL and its affiliated clubs.**

## **28 BREACHES**

- 28.1 **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 the Spirit of Cricket or acts at any time to prejudice the good name or interests of the CCL.
  - 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 CCL.
- 28.2 **Any player or club committing such a breach shall be liable to penalties in the manner prescribed in this document.**
- 28.3 **A Breach of 28.2 will normally be categorised as Level 1, 2, 3 or 4, as set out in 34; categorisation will be made by the umpire(s) concerned or by the CCL Disciplinary Chairman should he/she decide to convene a Disciplinary Hearing. A club may categorise an offence within its Club Code of Conduct but cannot amend or reject a categorisation made by an umpire or the CCL Disciplinary Chairman. Should a club or player consider that a categorisation made by the umpire(s) or CCL Disciplinary Chairman is incorrect based on their understanding of the alleged offence(s), the club or player may request a Disciplinary Hearing.**
- 28.4 **Level 1 Breach Procedure**
- 28.4.1 **Team Warning**

When the two umpires together both hear a player using foul and/or abusive language and/or sledging or dissent at an umpire's decision, they will together inform the Captain (when the offence is committed by the fielding side) or the two batsmen and the subsequent batsmen (and the batting side captain as soon as is practicable, when the offence is committed by the batting side), that they are issuing a Team Warning. This warning will stay in force for that team for the remainder of the match.

- a. The next time any player or players from that team uses foul or abusive language or sledging or shows dissent, the player or players concerned will receive a Level 1 First and Final warning. This warning will be accompanied by penalty runs (see section 36.1)
- b. any subsequent use of foul or abusive language or sledging or dissent by any members of that team will result in a full Level 1 report being issued to the player(s) concerned; for a Level 1 breach of 28.2, the umpires will caution the player as to his conduct, advising the player and the captain that this is a Level 1 report and that the player will be named on the umpires' report card. In addition, further penalty runs will be applied for each offence.

28.4.1.1 The Team Warning will apply to any player, on or off the field, from the start to the conclusion of the match.

28.4.1.2 The umpires shall note all Team Warnings and any subsequent actions on the match result sheet.

28.4.2 If any player who has been reported under Paragraph 28.4.1 above commits one or more subsequent breaches in the same match, the umpires will advise him and his captain (see 27.2.1) and the Executive of his club that they will be submitting a Level 2 report.

28.4.3 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 (level 1 or above) without having issued any previous warning. The player and captain should be advised accordingly.

28.4.4 When a Level 1 ban is implemented, a player has the right to a Disciplinary Hearing under the provisions of section 29.5 (bullet point 3).

28.5 Reports

28.5.1 For any Level 1 breach under Paragraph 28.4.1 or 28.4.3 above, the umpire(s) will submit a report using the LMC match report form; for any Level 2, 3 or 4 breach, the umpire(s) will submit a report using the standard disciplinary report form, available on the CACO website

## **29 PROCEDURE**

29.1 Any alleged breach of 28.2 that is the subject of a report (to be known as 'a complaint') shall be notified by telephone to the LMC Disciplinary Chairman within 24 hours of the end of the match and confirmed in writing within 3 days of the end of the match. All written complaints must be submitted on club headed notepaper and, if necessary, be countersigned by the club secretary.

29.1.1 Such a complaint may be lodged by a club official, umpires or scorers;

29.1.2 The club official, umpires or scorers will also promptly lodge a copy of the complaint with the Secretary of the Cornwall Association of Cricket Officials (CACO)

29.1.3 To avoid delay, should the LMC Disciplinary Chairman be unavailable at any time, a copy of the complaint must also be sent to the Chairman of the LMC.

29.2 For complaints lodged by umpires or scorers, the LMC Disciplinary Chairman or his nominated deputy, the LMC Chairman shall, within 3 days of receiving the complaint, inform the Secretary of the player's club of the details of the complaint in writing.

29.3 It is intended that any breach at Level 1 and/or Level 2 should, in the first instance, be dealt with by the player's club who shall, within 48 hours of receiving written notification of the complaint, notify the Chairman of the League Disciplinary Committee of any club action taken.

29.4 Any breach reported at Level 3 or level 4 shall be immediately referred to a full Disciplinary Hearing by the Chairman of the League Disciplinary Committee. Such a breach cannot be referred to club action.

29.5 The Chairman of the League Disciplinary Committee (or his nominated deputy, the LMC Chairman) shall be advised as soon as possible of the club action following a Level 1 and/or a Level 2 complaint. Within 48 hours of receipt of that advisement, the Chairman of the Discipline Committee has the right to refer a Level 1 or 2 complaint to a full Disciplinary Hearing if he records that:

- any prior sanctions by the club do not comply with the penalties listed in 35, or

- the alleged complaint would appear to be more serious than the Level classification imposed by the umpires or scorers, or
- the club (or player) has requested a Disciplinary Hearing on the specific grounds of mistaken identity, misrepresentation or failure of the umpires to follow the procedures above.

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

- 1 A welfare and child protection case, or
- 2 An outright disciplinary case. If the incident is being investigated by another organisation (e.g. the Police, ECB Welfare Department etc.) the League will await the outcome of that investigation before proceeding with any internal action). The player must be accompanied at any Hearing by a parent or guardian, club or county safeguarding officer or an acceptable senior club official.

29.7 The Chairman of the Disciplinary Committee may also choose to initiate a complaint on behalf of the LMC, whether or not a formal complaint has been lodged by a club, umpire(s) or scorer(s).

29.8 When the player(s) or club is subject to a disciplinary report, players and clubs are reminded that no contact shall be made with officials or members of the Disciplinary Committee or persons who have made the complaint except in writing through the Chairman of the Disciplinary Committee who shall have absolute discretion whether or not any written contact will be permitted. Breach of this rule will be considered by the Disciplinary Committee for an appropriate penalty.

29.9 The Disciplinary Committee must, as a minimum, ensure the decision of the Committee, with any reasons for the decision, is made known to player(s)/club(s) and LMC and reporting officials as soon as possible after the conclusion of the Hearing, ensuring that attention is drawn to the right of Appeal and its timescale.

29.10 Any complaints submitted 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.

### **30 DISCIPLINARY HEARINGS**

30.1 In any case which is referred for a Disciplinary Hearing, the Chairman of the League Disciplinary Committee shall convene the Hearing within 14 days of the decision to refer. Any adjournments may be granted at the discretion of the Chairman of the Disciplinary Hearing.

30.2 For all levels of complaint, where a complaint against a player is referred to a Disciplinary Hearing, the captain and club may be charged separately under their responsibilities as set out in the Code of Conduct and the Spirit of Cricket above.

30.3 Where the complaint is against a player(s) and/or captain, or a club, at least seven days' notice in writing of the Hearing shall be given to the Club Secretary. The notice shall specify the alleged breach(es) of Paragraph 28.2 above.

30.4 The reported player(s) or club shall be entitled:

- To submit written statements to be received no later than 7 days ahead of the Hearing. These statements must be made on club headed notepaper and countersigned by the player(s) concerned and the club secretary in all cases.
- 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.

30.5 If the player or club is to have representation present at the Hearing, then the details of that representation must be given in writing to the Disciplinary Chairman not less than 48 hours before the date of the Hearing.

30.6 The Hearing shall be conducted by a Disciplinary Panel appointed by the LMC and shall consist of not less than three and not more than 5 persons drawn from a list approved by the League Management Committee. None of the Panel shall 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 the outcome of any disciplinary

action. Decisions of the Disciplinary Committee shall be by majority vote with the Chairman having a casting vote

- 30.7 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.
- 30.8 The standard of proof shall be on the balance of probabilities.
- 30.9 If, during a Disciplinary Hearing, further breaches of the Code of Conduct and the Spirit of Cricket, arise from the investigation into the original complaint(s), the Chairman of the Disciplinary Committee may, at his discretion, ask his Committee to consider these further breaches at the current Hearing provided all parties to those further breaches are present and all relevant evidence is available at the Hearing.
- 30.10 A player(s) and/or club(s) that does not attend a disciplinary hearing, without giving the Disciplinary Chairman prior notice of 4 days as to due cause and reason(s) for non-attendance, will still have the alleged disciplinary complaints(s) heard in their absence.
- 30.11 Where any individual behaves inappropriately or fails to respect the formality at any level during a Disciplinary/Administrative Hearing, the Disciplinary Committee assumes the right to impose further penalties or corrective actions as it sees fit.
- 30.12 Where a witness or representative behaves inappropriately or fails to respect the formality at any level during a Disciplinary/Administrative Hearing, this can be dealt with under the Code of Conduct by having a separate Hearing.
- 30.13 The LMC will report the outcome of all **disciplinary** hearings to the County Board and the ECB as below:
- Information on penalties to be shared with individuals at ECB, County Board and Club on a need to know basis in order to give effect to the penalty(s)
  - Information about bans shall be shared with other clubs (out of County) on a need to know basis in order to give effect to the penalty(s)
  - Individuals subject to penalties must be advised that information on such penalties will be shared as above

## **31 PENALTIES**

### **31.1 Level 1**

- 31.1.1 A Level 1 First and Final warning shall stand for a period of 12 months from the date of the first and final warning. Any player so named again at Level 1 within that 12 months period by any umpire within any competition or league match played under the auspices of the CCL will receive an immediate automatic ban for the next two league or competition matches or for a stated period of time for which he is selected and available to play.
- 31.1.2 Any player reported at Level 1 for the third time within the period of 12 months from the date of his first and final warning shall be immediately suspended by his club for the next four league matches or competition matches for which he is selected and available to play.
- 31.1.3 Any player reported at Level 1 for four times within the period of 12 months from the date of his first and final warning shall be immediately suspended by his club for the next six league matches or competition matches or for a stated period of time for which he is selected and available to play. Any player reported more than 4 times within a period of 12 months shall be referred to the League Disciplinary Level 2 procedure
- 31.1.4 The Disciplinary Committee shall have absolute discretion to decide which league or competition (or a combination) matches or period of time shall be included in the suspension.
- 31.1.5 Unavailability due to work commitments, illness or injury will not count as having discharged one or more suspensions.
- 31.1.6 In addition to the penalties described at 31.1.1 to 31.1.4 inclusive, where the same player of a club is reported at Level 1 on more than one occasion in any one season, that club shall have FIVE league points deducted, on the second, and each subsequent occasion the player is the subject of a level 1 report. Where required, any such points penalty shall be carried over into the following season.

31.1.7 Any individual club, having three or more different players reported at Level 1 in any one season shall have TEN league points deducted at the end of that season, in addition to any deductions or penalties described at 31.1.1 to 31.1.4 inclusive.

**31.2 Level 2**

31.2.1 For a breach reported at Level 2, the player's club may impose an automatic suspension as listed in Rule 35.

31.2.2 If the Chairman of the League Discipline Committee is satisfied with the prior action taken by the club, the complaint will be closed.

31.2.3 However, if a Hearing is requested by the player/club or by the Chairman of the League Discipline Committee, the Disciplinary Panel shall have the power to impose one or more penalties as listed in 34, together with an order as to costs as it deems appropriate

31.2.4 The Disciplinary Panel shall have the power to suspend the operation of any part, or all, of the penalties it imposes for such period and subject to such terms and conditions it deems appropriate.

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

**31.3 Levels 3 & 4**

31.3.1 All complaints reported as Level 3 or Level 4 will be referred for a full Disciplinary Hearing by the Chairman of the League Disciplinary Committee. The procedure for the Disciplinary Hearing is described in Rule 30.

31.3.2 If, at a Hearing, a breach of Rule 28 is proved, the Disciplinary Panel shall have the power to impose one or more penalties as listed in 34, together with an order as to costs as it deems appropriate:

31.3.3 The Disciplinary Panel shall have the power to suspend the operation of any part, or all, of the penalties it imposes for such period and subject to such terms and conditions it deems appropriate.

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

31.3.5 The League shall report match bans in writing to the relevant club's County Board for national circulation. Players should understand that match bans will normally apply to all cricket played under the auspices of ECB.

**32 APPEALS**

32.1 Where a breach of League Rule 28 has been proved at a LMC Disciplinary Hearing, a player or club shall have the right of appeal.

32.2 All Appeals against decisions of the LMC Disciplinary Committee will be heard by an Appeal Panel convened under the appeal regulations and procedures of the Cornwall Cricket Board Ltd.

32.3 A notice of appeal must initially be notified in writing, within 7 days of receipt of the decision(s) by the LMC Disciplinary Committee, to the Board Secretary who will then advise on the appeal procedure.

32.5 If a notice of appeal is made, any penalty(s) imposed by the LMC Disciplinary Committee will be suspended pending the Appeal Hearing and outcome of the Appeal.

**33 NON PAYMENT OF FINES**

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

33.2 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 or reported player 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 additional deduction of five points shall be made from the

points gained by the club with which the reported player is registered. Further failure to pay the fine may lead to the LMC imposing other penalties including club or player suspension.

### **34 MUTUAL RECOGNITION OF PENALTIES**

- 34.1 The LMC and clubs shall mutually recognise and give full effect to any penalty imposed by the Discipline Committee
- 34.2 The LMC and clubs shall mutually recognise and give full effect to penalties imposed pursuant to any disciplinary or relevant regulations of all competitions under the auspices of County Boards as defined and listed in the ECB Articles of Association and any other competition as directed by ECB.
- 34.3 A player may not play in matches under the auspices of the LMC whilst serving a suspension from any competitions described in 34.2.
- 34.4 The LMC may give and receive information concerning penalties imposed on participants as in 31.3.5

### **35 DEFINITION OF 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
- b) abuse of the cricket ground, equipment or fixtures
- c) showing dissent at an umpire's decision by word or action
- d) using language that is obscene, offensive or insulting and or the making of an obscene gesture
- e) excessive appealing
- f) sledging

#### **Level 2**

- a) showing serious dissent at an umpire's decision by word or action
- b) inappropriate and deliberate physical contact between players in the course of play
- c) charging or advancing towards an umpire in an aggressive manner when appealing
- d) deliberate and malicious distraction or obstruction on the field of play, regardless as to whether such conduct is deemed to be fair under law 42.5
- e) throwing the ball at or near a player, umpire or official in an inappropriate and dangerous manner
- f) using language or gesture that is obscene or of a serious insulting nature to another player, umpire, team official or spectator
- g) changing the condition of the ball other than as permitted by Law 42.3
- h) the bowling of fast short pitched balls that result in the bowler being disallowed from bowling further in that innings
- i) causing avoidable damage to the pitch contrary to Laws 42.13 and/or Law 42.14 that results in a five run penalty being awarded

#### **Level 3**

- a) intimidating an umpire by word or action
- b) threatening to assault another player, team official or spectator
- c) using language or gesture that offend, insult, humiliate, intimidate, threaten, disparage or vilify another person on the basis of that person's race, religion, sexual orientation, colour, descent or national or ethnic origin
- d) the deliberate bowling of any high full-pitched ball contrary to Law 42.8

#### **Level 4**

- a) physical and/or verbal threatening of an umpire
- b) physical assault of another player, umpire, official or spectator
- c) any act of violence on the field of play

- d) 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.

Where any alleged breach falls outside of those described above, the Discipline Chairman shall determine the appropriate level with reference to the following factors:

- the level of harm or potential harm to the interests or reputation of the CCL or the game of cricket in general
- whether any alleged language used or gesture made may be a breach of 27.1.5
- whether it is alleged that any conduct was likely to cause distress or physical harm to another person or child or such harm was reasonably foreseeable
- whether it is alleged that any conduct was likely to be criminal or otherwise unlawful

For the avoidance of doubt, any online postings on any form of social media shall also be determined in accordance with the appropriate level of reference immediately above:

- participants will be considered responsible for any postings on their social media accounts which are caught by the factors above. The fact that a posting may have been made by someone else in the participant's name will not necessarily prevent disciplinary action
- disciplinary action may result from re-tweeting by others which are caught by the factors above.
- The deleting of any inappropriate content, whilst advisable, does not of itself prevent disciplinary action being taken.

## **36 PENALTIES**

36.1 **TEAM WARNING** – warning must be recorded on the Match Report Sheets only

- Further offence by player or players in same side:  
First & Final Warning must be issued  
5 penalty runs to be awarded to the opposing side for each offence in a 20/20 match, or...  
10 penalty runs to be awarded to the opposing side for each offence in a league match
- Subsequent offence by player or players in same side:  
Level 1 Report must be issued  
10 penalty runs to be awarded to the opposing side for each offence in a 20/20 match, or...  
20 penalty runs to be awarded to the opposing side for each offence in a league match

36.2 The following is a guide to the match bans that may be imposed by the LMC Disciplinary Committee for individual proven breaches of discipline, as set out in Rule 34 above:

Level 1	2 to 6 matches
Level 2	3 to 8 matches
Level 3	4 to 10 matches
Level 4	A minimum of 10 matches

Match bans may be modified to be stated as periods of time at the discretion of the Discipline Committee.

36.3 For a reported player or club official (see 26.7) - in addition to or instead of the above match bans in one or more of following penalties may be imposed at the discretion of the Discipline and/or Appeal Committees:

- require the player to submit written letter(s) of apology to the umpires concerned and captain of opposing club within a specified period of time
- a formal reprimand to be placed on the player's registration details with a warning as to future conduct
- a fine not to exceed £500
- to deduct league points from the player's team
- to expel the player from all participation in any league or competition played under the auspices of the CCL for a period up to one (1) year for any offence proven at Level 3 and for a period up to 3 years for any offence proven at Level 4

36.4 For a club - in addition to or instead of the above points deductions in 36.2, one or more of following penalties may be imposed at the discretion of the Discipline Committee:

- to require the club to submit written letter(s) of apology to the umpires concerned and captain of opposing club within a specified period of time
- for a formal reprimand to be placed on the club's affiliation details with a warning as to future conduct
- to impose a fine
- to deduct league points from the club's team
- to relegate to a lower division of the League
- expel the club from all participation in any league or competition played under the auspices of the CCL for a period up to one (1) year for any offence proven at Level 3 and for a period up to 3 years for any offence proven at Level 4
- to relegate the club to any lower division
- to expel the club from the League

- 36.5 When determining the penalties to be imposed, the Disciplinary Committee shall take into account:
- if the accused player/club has pleaded guilty
  - the player/club'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 the request for a Hearing is considered spurious

### **37 SUGGESTED CLUB MODEL DISCIPLINE PROCEDURE**

- 37.1 A Club of its own authority may convene an internal club inquiry concerning any alleged case of misconduct by their club player or club official whether that allegation is written or oral.
- 37.2 The purpose of the internal club inquiry shall be to establish the facts and where appropriate to take disciplinary action so that the Club does not fail to properly control or discipline its players and officials thus ensuring that the Club acts in a manner designed to protect the good name of the Club and Cornish cricket.
- 37.3 Any player or club official required to attend an Internal club inquiry, or any Appeal there from, shall be entitled to be accompanied at the inquiry by a friend or supporter or other representative.
- 37.4 In addition to the club convening its own internal club inquiry, the Chairman of the LMC Disciplinary Committee may, at his discretion, ask the club to conduct its own inquiry into an allegation of misconduct by a player or club official as described in sections 31.1 and 31.2; club inquiries are limited to allegations placed at Levels 1 & 2 only.
- 37.5 Penalties  
Should a player or club official be found by an internal club inquiry to be in breach of an offence as listed in Rule 35, a guide to the penalties for Level 1 & 2 offences are found in Rule 36
- 37.6 Club Appeals procedure  
The player or club official shall have the right to appeal to the President of the Club or the President's nominee for a review of the findings of the club internal inquiry and the penalty or penalties imposed. The decision of the President or his nominee shall be final and binding in all cases.

### **38 CACO REPORT FORM**

- 38.1 The current CACO report form is to be found on the CACO website pages.

### **39 PROCEDURE FOR THE RESOLUTION OF ALLEGED ADMINISTRATION INFRINGEMENTS OF CCL RULES**

- 39.1.1 All matters relating to the infringement of administrative league rules shall be subject to the discretionary powers of the LMC vested in the LMC Disciplinary Committee which is empowered to operate the related Hearings system and impose appropriate sanctions as necessary.
- 39.1.2 Any club that fails to take adequate measures to ensure the proper conduct of its club, players, officials and/or members on all matters for which the club and/or its Committee members has responsibility or acts in any way that is prejudicial or detrimental to the interests or reputation of the

CCL and that results in an infringement of administrative league rules, shall be subject to this procedure.

- 39.1.3 Clubs are advised that no contact must be made with the LMC Disciplinary Committee members when the club is subject to an alleged administrative infringement report other than that permitted in writing to the Discipline Chairman.

### **39.2 LMC ADMINISTRATION COMPLAINT PROCEDURE**

- 39.2.1 Any alleged breach of the LMC Rules and Regulations shall be reported in writing (known as the "Complaint" or "Protest") to the Chairman of the LMC Disciplinary Committee and must be received by him within seven (7) days of the alleged breach. The Chairman of the LMC Disciplinary Committee must then forward a copy of the complaint to the Club against which the complaint was made. Such complaints regarding alleged maladministration by another club must be made by a club official.
- 39.2.2 The LMC may also choose to initiate an administration complaint whether or not an official complaint has been lodged by a club.
- 39.2.3 Upon receipt of such a complaint or protest and as soon as reasonably practical, the Chairman of the LMC Disciplinary Committee shall consider the complaint and either:
- a. Take no action except to record the complaint and notify the club, or
  - b. Endorse the remedial (or disciplinary) action taken by the club, or
  - c. In the case of a minor infringement, apply a penalty based on precedent having examined the complaint with the club concerned, or
  - d. In the case of a more serious infringement determined at the Chairman of the Discipline Committee's discretion, refer the matter to a Disciplinary Hearing, which shall be convened by the Chairman of the Discipline Committee as soon as reasonably practical.

### **39.3 ADMINISTRATIVE HEARINGS**

- 39.3.1 In any case that is referred to a Disciplinary Hearing, at least seven (7) days notice in writing of the Hearing shall be given the Secretary of the Club against whom the complaint has been made, to the Secretary of the complainant club and also to any other person(s) involved.
- 39.3.2 The club against whom the complaint has been lodged will be entitled to attend the Hearing, state their case, be represented and to call witnesses.
- 39.3.3 Should a Disciplinary Hearing be convened, any written evidence by any party to that Hearing shall be received by the Chairman of the Discipline Committee not later than seven (7) days of the Hearing date; written evidence received within seven (7) days of the Hearing date will only be admitted to the Hearing at the discretion of the Chairman of the LMC Disciplinary Committee.
- 39.3.4 The Hearing shall be conducted by members of the LMC Disciplinary Committee which shall consist of not less than 3 persons none of whom shall be connected with the club(s) involved or their opponent(s) at the time of the alleged breach.
- 39.3.5 A player(s) and/or club(s) that does not attend an administrative hearing, without giving the Hearing Chairman prior notice of 4 days as to due cause and reason(s) for non-attendance, will still have the alleged administrative complaints(s) heard in their absence.

### **39.4 PENALTIES**

- 39.4.1 If, at a Hearing, the LMC Disciplinary Committee finds the alleged breach proven (based on reasonable doubt) it shall have the power to impose one or more of the following penalties together with such order(s) for costs as it deems appropriate; the value of any fines and/or points deduction shall be based as far as practically possible on existing precedent:
- a. To require the club to apply remedial action for any proven acts of maladministration within a specified time
  - b. To record a formal reprimand and to give a warning as to future administration standards
  - c. To impose a fine

- d. To deduct League points from the club; the LMC Disciplinary Committee shall have the absolute discretion to decide how and where those points will be deducted
  - e. To relegate the club to any lower league division; the LMC Disciplinary Committee shall have the absolute discretion to decide how and where those relegations will be made.
  - f. To expel the club from any competition held under the auspices of the LMC for a set period of time
  - g. To expel the club from the League for a set period of time
- 39.4.2 The Disciplinary Committee shall have the power to suspend the operation of all or part of any penalty(s) that it imposes for such period and subject to such terms and conditions as it deems appropriate.
- 39.4.3 Decisions of the Disciplinary Committee (a finding that a complaint is proved or not proved or a decision of penalty(s) shall be by majority vote; where necessary, the Panel Chairman shall have a casting vote.

#### **39.5 ADMINISTRATIVE APPEALS**

- 39.5.1 Where an administrative breach of League Rules has been proved at a LMC Hearing, a club shall have the right of appeal.
- 39.5.2 All Appeals against administrative decisions by the LMC Disciplinary Committee will be heard by an Appeal Panel convened under the appeal regulations and procedures of the Cornwall Cricket Board Ltd.
- 39.5.3 A notice of appeal must initially be notified in writing, within 7 days of receipt of the decision(s) by the LMC Disciplinary Committee, to the Board Secretary who will then advise on the appeal procedure.
- 39.5.4 If a notice of appeal is made, any penalty(s) imposed by the LMC Disciplinary Committee will be suspended pending the Hearing and outcome of the Appeal.

#### **40 DATA PROTECTION CONSENT**

For the purposes of the Data Protection Act 1998 and otherwise, each participant shall have been deemed to have agreed that their personal data may be processed and disclosed in accordance with, and for the purposes of the implementation of the Discipline Regulations.

#### **41 CONFIDENTIALITY**

- 41.1 All disciplinary proceedings, which take place under these disciplinary regulations, shall be confidential and take place in private.
- 41.2 The LMC and the ECB shall have the right to publish any written decision of a disciplinary hearing including (but not necessarily limited to) publication on their websites and participants shall be deemed to have consented to such publication.
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