

THE L&DCC DISCIPLINARY REGULATIONS 2017

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1. AIMS AND JURISDICTION

- 1.1 The England & Wales Cricket Board (**ECB**) is committed to maintaining the highest standards of behaviour and conduct in the game of cricket. The ECB Premier Leagues (the **Leagues**), including the L&DCC, which operate within the jurisdiction of the ECB, share this commitment and take it very seriously.
- 1.2 These ECB Premier League Disciplinary Regulations, incorporating the Code of Conduct and Spirit of Cricket (as set out in Section 2 below) (Disciplinary Regulations), have been adopted by the Leagues and are intended to provide guidance and ensure uniformity in dealing with any alleged breach of the Code of Conduct.
- 1.3 The Disciplinary Regulations shall be complied with by all those who participate in the L&DCC, including players, clubs, club officials, club members, the Leagues, representatives of the Leagues and any other person or body who is from time-to-time engaged in cricket-related activities under the auspices of the L&DCC (**Participants**). (For the purposes of Section 2 below, 'players' shall be deemed to include other Participants if the context of an alleged breach of the Code of Conduct so requires.)
- 1.4 Subject to the mutual recognition provisions (at Section 9 below), the L&DCC shall be responsible for the enforcement and administration of the Disciplinary Regulations in relation to Participants registered to the L&DCC and/or participating in cricket-related activities under its auspices. All Participants, by virtue of their registration with the L&DCC (whether directly or via a club) and/or participation in cricket-related activities under the auspices of the L&DCC, agree to be bound by the Disciplinary Regulations.
- 1.5 All Participants are required to cooperate with the L&DCC in regard to discipline. Without prejudice to the generality of this requirement, every club shall take all reasonable steps to ensure the proper conduct of its Participants in accordance with the Disciplinary Regulations and shall not act in any way which is prejudicial or detrimental to the interests or reputation of the L&DCC or the game of cricket.
- 1.6 There is nothing in the Disciplinary Regulations preventing or discouraging clubs from applying additional or stronger penalties in regard to breaches of the Code of Conduct beyond those set out in the Disciplinary Regulations, whether or not penalties may apply under the Disciplinary Regulations. To this end, it is important that clubs have their own code of conduct and disciplinary procedures in place.
- 1.7 At all times, it is to be remembered that the core aim of the Disciplinary Regulations is to maintain the highest standards of behaviour and conduct in the game of cricket. The procedures detailed in the Disciplinary Regulations are intended to be fair, straightforward and proportionate to the needs of the L&DCC and Participants, respecting fundamental principles of natural justice and fairness but recognising that those involved with the procedures will not typically be, and do not need to be, legally qualified. Therefore, as long as the principles of natural justice and fairness are not infringed, minor practical or technical points will not serve to invalidate the procedure or any decisions or findings under the Disciplinary Regulations.
- 1.8 If any incident or other matter occurs which is not provided for by the Disciplinary Regulations (whether it relates to conduct, jurisdiction, procedure or penalty), then the Chairman of the L&DCC's Disciplinary Committee or a L&DCC Disciplinary/Appeal Panel may take such action as considered appropriate in the circumstances, taking into account the specific circumstances and the principles of natural justice and fairness.
- 1.9 If any alleged breach of the Code of Conduct falls under any other relevant ECB regulations (as may from time-to-time be in force), such as the ECB Safeguarding Complaints and Disciplinary

Procedure, or is subject to investigation by the police or other public authority (or analogous body), or is subject to any other legal/regulatory process, the Discipline Chairman or the L&DCC's Disciplinary/Appeal Panel may suspend the procedure under the Disciplinary Regulations.

- 1.10 A separate code of conduct applies to Officials and Volunteers of the L&DCC, which may be used by clubs for their own officials and volunteers ²⁰¹⁷ *and is available on the L&DCC website.*

2. CODE OF CONDUCT AND SPIRIT OF CRICKET

2.1 General Principles

2.1.1 The code places the emphasis on clubs and team captains who have the prime responsibility to deal with their own players' misconduct in a fair and speedy manner, once an incident has been reported. Clubs will be expected to deal with disciplinary matters within the timescales laid down within the Regulations. The Management Committee via the Disciplinary Committee will monitor the actions taken by clubs.

2.1.2 Unless specifically mentioned otherwise all communications between officials and clubs, will be via email, eg. 'in writing' implies via email. **It is the responsibility of the clubs to keep their reported and/or disciplined player fully informed of the progress of the disciplinary process.**

2.1.3 It is considered a disciplinary offence for a club or any of its members to act in a manner which could prejudice the standing or interests of the L&DCC or to fail to act promptly to control and/or discipline a player,

2.1.4 Clubs will be liable to fines as considered by the Disciplinary Committee should the conduct of members or non member spectators be reported to be abusive, offensive, etc., towards umpires, players, club officials or other spectators.

2.1.5 L&DCC Disciplinary Committee Structure

2.1.5.1 The Disciplinary Committee is a Committee reporting to the L&DCC Management Committee.

2.1.5.2 The Disciplinary Committee will consist of a Chairman (elected at an AGM of the L&DCC), a Secretary and a Disciplinary Representative nominated by the L&DCC Management Committee.

2.1.5.3 The Disciplinary Committee will manage the disciplinary processes as described in these Regulations, keep records, post notices on the L&DCC website and will report regularly to the L&DCC Management Committee.

2.1.5.4 If a club has three disciplinary offences recorded against its players in one season the club will be called to discuss indiscipline with the Management Committee. This should be seen as an opportunity for the club to review and possibly improve its processes in a frank and friendly way.

2.2 Code of Conduct

2.2.1 Captains are responsible at all times for ensuring that play is conducted within the Spirit of Cricket (as set out in paragraph 2.3) as well as within the Laws.

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

2.2.3 Players shall not intimidate, assault or attempt to intimidate or assault an umpire, another Participant or a spectator.

- 2.2.4 Players shall not use crude and/or abusive language (known as 'sledging') nor make offensive gestures or hand signals nor deliberately distract an opponent.
- 2.2.5 Players shall not use language or gestures that offend, insult, humiliate, intimidate, threaten, disparage or vilify another person on the basis of that person's (or that person's perceived) age, race, religion, sex, sexual orientation, colour, descent or national or ethnic origin.
- 2.2.6 Players shall not use or in any way be concerned in the use or distribution of illegal drugs or other criminal activity.
- 2.2.7 Participants shall not make any public or media comment which is detrimental to the interests or reputation of other Participants 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 including "Face book" and "Twitter" and a club's 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.
- 2.2.8 Participants shall not publicly disclose or comment upon any alleged breach of this Code of Conduct.
- 2.2.9 Participants shall not act in any manner which is against the Spirit of Cricket, otherwise improper, or prejudicial or detrimental to the interests or reputation of the League(s) or the game of cricket.

2.3 Spirit of Cricket

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

2.3.1 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

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

2.3.2 Fair and Unfair Play

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

2.3.3 The Umpires are authorised to intervene in cases of:

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

2.3.4 The Spirit of the Game involves RESPECT for:

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

2.3.5 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
- ²⁰¹⁷ *Enter false information on a team sheet – the captain will be held responsible and the match defaulted*
- Appeal knowing the batsman is not out
- Advance 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.

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

2.3.7 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.

3.2 Failure to comply with the provisions of this Code of Conduct may lead to disciplinary action, irrespective of a proven breach being related to a match not under the jurisdiction of the L&DCC.

3. BREACHES AND REPORTING

3.1 Any Participant in breach of the Code of Conduct shall be liable to penalties in the manner prescribed in the Disciplinary Regulations.

3.2 A breach of the Code of Conduct will normally be categorised as level 1, 2, 3 or 4 as set out in Appendix 1. A lesser breach of the Code of Conduct will be recorded as bad behaviour as set out in Appendix 2, see 3.3.1 below.

3.3 Reporting of Breaches by umpires

3.3.1 Accumulated Bad Behaviour (ABB)

3.3.1.1 Umpires advise captain(s) at end of match of their intention to record an ABB. The captain(s) must inform their players of the award of an ABB.

3.3.1.2 An ABB is recorded on the Umpires' C&G Report Card and the L&DCC Disciplinary Secretary will be advised and will include the details on the L&DCC website. The ABB is also recorded on the Match Result Form which is signed by both umpires and both captains. See Appendix 2 for examples of behaviour invoking an ABB.

3.3.2 Levels 1, 2, 3 & 4 Breaches

- 3.3.2.1 Any of these breaches will require the umpires to advise, before leaving the club after the match, the club captain and/or other club Official of their intention to report the offence. The umpires will prepare a report using the official L&DCC Disciplinary Report Form.
- 3.3.2.2 One umpire will take responsibility for notifying the Disciplinary Secretary. In the first instance this should be by telephone or email within 24 hours of the end of the match. The written report must then be sent, preferably by email, to be received within 48 hours of the end of the match.

3.4 Reporting of Breaches by Participants

- 3.4.1 Any allegation of a breach of the Code of Conduct by a Participant made against another Participant which arises from an incident during the course of a match or on the field of play should be reported by the team's captain to the umpires.
- 3.4.2 Any allegation of a breach of the Code of Conduct by a Participant made against another Participant which does not arise from an incident during the course of a match or on the field of play should, ideally, be notified to the Disciplinary Secretary promptly after the incident giving rise to the allegation. Subject to any direction from Disciplinary Secretary, a written report should be produced, which should allow the Disciplinary Secretary to understand i) the background of the alleged incident, ii) why a breach of the Code of Conduct is alleged and iii) the level of the breach alleged. Where possible, notifications and reports should be submitted to the Disciplinary Secretary by a club secretary or directly through lpoolcomp.co.uk (or in such manner as may be directed by the Disciplinary Secretary).
- 3.4.3 The Disciplinary Secretary shall have an overriding discretion to accept or decline reports submitted under paragraph 3.4.2. Save for exceptional circumstances, such reports shall not be accepted relating to any alleged breach of the Code of Conduct which have been, or could have been, reported by an umpire pursuant to paragraph 3.3.5 (the Disciplinary Secretary may contact an umpire for his observations/views on allegations/the content of any report) or where there has been undue delay in making a notification or report.
- 3.4.4 Any complaints submitted under paragraph 3.4.2 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 under paragraph 2.2.9.

4. REPORTING AND MANAGEMENT PROCEDURES

4.1 Breaches reported by Umpires

- 4.1.1 The L&DCC Disciplinary Secretary will forward to the L&DCC Disciplinary Representative by the end of the same 48 hour period, a copy of the disciplinary report together with any additional information. These two officials will consider the offence and make an initial assessment of the appropriate action based on the tariffs given in these Regulations. **Level 3 or Level 4 complaints will automatically be subject to a Disciplinary Hearing and the club will be advised as Clause 5.3 below.**
- 4.1.2 The L&DCC Disciplinary Representative will forward a copy of the report to the club's Cricket Chairman, Secretary, Disciplinary Representative and the player's captain within 72 hours of the incident occurring. In the remainder of this document reference to Participant shall include each of the Participants involved in the incident as appropriate.

4.1.3 Any Level 1 or Level 2 breach of the Code of Conduct should in the first instance be dealt with by the Participant's club (in accordance with the guideline penalties detailed at Clause 4.3 below), and the secretary of the club shall notify the Disciplinary Representative within 48 hours of any action taken by the club or which it proposes to take.

4.1.4 **A minimum one week ban should be imposed by the club whatever penalty it considers appropriate, ie. the player reported will miss the following week's match. However, if the club disputes the umpires' decision to make a report it must advise the Disciplinary Secretary within 48 hours of the alleged offence.**

4.2 ²⁰¹⁷ ***It is normal practice for up to half of the penalty to be suspended until the end of the following season; see also Clause 6.5 below.***

4.3 **As a guideline only the following penalties should be expected in regard to bans:**

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

4.4 The action taken by the club will be either:

4.4.1 agreed by the Disciplinary Committee and the L&DCC Disciplinary Secretary will post the agreed action on the L&DCC website; or

4.4.2 disagreed, when a disciplinary hearing shall be held.

4.5 In the event of the club taking no action and not advising the Disciplinary Secretary as described in Clause 4.1.3 above, the Disciplinary Committee will impose a one week ban and take further disciplinary action against the club. This ban will be taken into account by the subsequent hearing.

4.6 Following two incidents being dealt with by a club, a third incident regarding a player at that club will automatically cause a disciplinary hearing to be called.

4.7 Should a player commit any further offence whilst in receipt of a suspended sentence, the suspended sentence will apply immediately, unless the club disputes the content of the report as described in Clause 4.1.4. The further offence should be considered by the Club (and if then appropriate by the Disciplinary Committee Chairman) as a separate matter.

4.8 **Alleged Breach reported by a Participant**

4.8.1 The Disciplinary Committee shall decide what action if any needs to be taken against the accused Participant or his club. If disciplinary action is appropriate the Participant and his club shall be advised and sent a copy of the complaint. The club shall be asked to advise the L&DCC Disciplinary Secretary within 7 days what action it intends to take. A similar process to that described in Clause 4.4 will then ensue.

4.8.2 If a disciplinary hearing is required to determine the complaint it is imperative that the Participant making the complaint attends the hearing.

5. DISCIPLINARY HEARINGS

5.1 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.

5.2 In any case which is referred for a Disciplinary Hearing, the L&DCC Disciplinary Representative shall convene the Disciplinary Hearing within 14 days of the decision to refer. Any delay may

only be granted at the discretion of the Chairman of the Disciplinary Panel (appointed in accordance with paragraph 5.6).

- 5.3 The L&DCC Disciplinary Committee will advise the club's Cricket Chairman, Secretary, Disciplinary Representative and the player's captain of the time, date and venue of the disciplinary hearing and a panel will be appointed. The advice shall specify the alleged disciplinary offence(s) and give the club at least 7 days notice of the hearing. Receipt of the advice must be acknowledged within 24 hours. If a receipt is not received the author of the advice must contact a club official by telephone. The club secretary shall advise all the club's Participants accordingly.
- 5.4 The accused Participant shall be entitled:
- to submit written statements ahead of the Disciplinary Hearing;
 - to attend the Disciplinary Hearing;
 - to state his/its 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.
- 5.5 If the Participant is to have representation present at the Disciplinary Hearing then the details of that representation must be given to the L&DCC Disciplinary Secretary not less than 48 hours before the date of the hearing.
- 5.6 The Disciplinary 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 L&DCC's Management Committee. The Discipline Chairman shall appoint one of the Disciplinary Panel members to act as Chairman of the Disciplinary Panel. The L&DCC Disciplinary Secretary as note taker and the L&DCC Disciplinary Representative (to present the sequence of events leading up to the hearing) will also attend but will have no vote on the proceedings. None of the Panel should be connected with the Participant or any relevant opponent at the time of the alleged breach, any Participant who might directly benefit from any disciplinary action. The hearing minutes will be made available to an Appeal Panel if such hearing should subsequently take place.
- 5.7 The Disciplinary Panel may call on umpires, players, independent witnesses and any other person(s) whom they may consider to be of assistance in their enquiries. The MUA is to encourage its umpires to include details of independent witnesses within their report wherever possible.
- 5.8 Umpire(s) or other witnesses requested to attend a disciplinary hearing will receive expenses of a similar amount to the current travelling expenses payable under Playing Regulations 8.1.2.
- 5.9 A Participant involved in disciplinary proceedings will be solely responsible for meeting such costs or expenses and any other costs as it or they may incur, eg the cost of any legal or other representation.
- 5.10 In the event of more than one club being involved in the hearing, the cost will be equally shared.
- 5.11 The standard of proof shall be on the balance of probabilities rather than the criminal standard of beyond reasonable doubt.
- 5.12 The Disciplinary Panel shall decide what if any penalties are to be imposed at the time of the Hearing and the L&DCC Disciplinary Secretary shall advise the player, club and the L&DCC

Management Committee and L&DCC Disciplinary Representative. The penalties shall be generally in line with the Disciplinary Tariffs in Appendix 2.

6. PENALTIES

6.1 Accumulated Bad Behaviour

6.1.1 Any player receiving two ABBs in twelve months will receive an immediate and automatic one week ban.

6.1.2 ABBs will be recorded on the L&DCC website (www.lpoolcomp.co.uk).

6.1.3 The remainder of this Section of the Regulations relates to the penalties applicable to reportable offences.

6.2 Reportable offences

6.2.1 As a minimum, an automatic ban by the club for **ONE WEEK**.

6.2.2 Clubs are expected to impose bans on their players in accordance with the tariffs in the Appendix 2 for all offences as described in Sections 1 to 5. These tariffs will also be used by the Disciplinary Committee when considering the club's actions, Clause 4.4 above.

6.2.3 Offences committed under Clause 2.2.7 are reportable offences and the club should give the player an automatic ban of **one week**. If an offence has been committed by a Participant who is not a player the club must take appropriate action against that person. The club secretary must forward a report to the L&DCC Honorary Secretary within seven days of the action taken.

6.2.4 The Disciplinary Committee reserves the right to consider further this breach of discipline and may recommend further sanctions as for any other reportable offence for abusive behaviour.

6.3 Imposed by a Disciplinary Panel

6.3.1 If at a Disciplinary Hearing a breach of the Code of Conduct is proved, 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.

6.3.2 In the case of a player:

- To require the player to apologise in writing 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 a stated period of time;
- To deduct League points from the player's team; and
- To recommend the expulsion of the player from the League.

As a guideline only the following penalties should be expected in regard to bans:

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

6.3.3 Bans will be imposed for offences which occur in any league or cup competition fixture and will apply to all matches under the auspices of the L&DCC. In addition, bans imposed for a period which continues beyond the end of a season will be carried forward into the following season.

6.3.4 A player charged with more than one offence will receive (if guilty) separate penalties which are cumulative and NOT concurrent.

6.3.5 Bans will be imposed in weeks (as multiples of seven days) commencing midnight Friday to midnight Friday.

6.3.6 Bans of four weeks or more duration (not including parts suspended - see Clause 4.2 above) will be reported by the L&DCC to the appropriate County Cricket Board for national circularisation. Such bans will normally apply to all cricket played under the auspices of the ECB (see also Clause 6.8).

6.3.7 The severity of the offence will influence the appropriateness of the length of sentence to be imposed in all cases.

6.3.8 All suspended bans on players will be recorded on the L&DCC website. Clause 4.2, Clause 4.7, Clause 6.5 and Clause 9.4 all refer to suspended bans.

6.3.9 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 recommend the expulsion of the club from any competitions of the L&DCC; and
- To relegate to any lower division of the L&DCC or to a feeder league.

6.3.10 In the case of any other Participant:

- To require the Participant 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 Participant for a stated period of time;
- To deduct League points from the Participant's team; and
- To recommend the expulsion of the Participant from the League.

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

- If the accused Participant has pleaded guilty;
- The Participant's previous disciplinary record;
- The position of the Participant (for example, if a player is a Captain);
- The conduct of the Participant subsequent to him/it being warned and told that he will be reported;
- In any case involving a player, the regularity with which the player plays cricket and at what level(s) of cricket he plays (for example, a fixed period ban of two weeks is likely to have a more serious impact upon an ECB registered cricketer who plays regularly when compared to a purely recreational player who plays infrequently);
- Whether conduct occurred on or off the field of play (as a guideline only), conduct occurring off the field of play will typically, save where there are significant aggravating factors, be more appropriately dealt with by the imposition of a fine); and
- Any other mitigating or aggravating factors relevant to the circumstances of the breach.

6.5 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. (See also Clause 4.2 above)

- 6.6 Where applicable, penalties may be carried over to apply in the following season.
- 6.7 Decisions of the Disciplinary Panel (a finding that a complaint is proved or not proved or a decision on penalty) shall be by majority vote; where necessary the Disciplinary Panel Chairman shall have a casting vote.
- 6.8 In accordance with the Cricket Discipline Commission (CDC) Regulations, it is envisaged that in any case where a suspension is lawfully imposed upon an ECB registered cricketer by the Disciplinary Panel such a suspension shall be recognised by the CDC. ECB registered cricketers have a right of appeal to an Appeal Panel of the CDC and, in the event a suspension is imposed upon an ECB registered cricketer by the Disciplinary Panel, the Disciplinary Secretary shall, as soon as practicable, report the matter in writing to i) the ECB Head of Cricket Operations (First Class) and ii) the ECB Head of Non-First Class Cricket.

7. APPEALS

- 7.1 There are no appeals allowed against an automatic ban instigated by an ABB.
- 7.2 Where a breach of the Code of Conduct has been proved on the balance of probabilities at a Disciplinary Hearing, a Participant shall have the right of appeal. This right should only be exercised in good faith upon reasonable grounds. Reasonable grounds will include fresh evidence not available at the time of the original hearing, failure by the officials to follow these Regulations or any evidence of manifest injustice. Where more than one Participant (eg a player and his club) appeals in relation to the same incident, they must do so separately.
- 7.3 A notice of appeal setting out the grounds must be given in writing by the Participant to the Disciplinary Secretary within seven days of the decision of the Disciplinary Panel being communicated to the Participant in writing, together with a deposit. The amount of the deposit shall be £250 for each club and £100 for each other Participant exercising their right of appeal. Cheques should be made payable to the 'Liverpool & District Cricket Competition' which amount will be refunded in the event of such appeal being successful. The club is responsible for the cost of the appeal hearing. In the event of the appeal not being correctly received within the 7 day period, the decision of the Disciplinary Hearing Panel will stand.
- 7.4 If the Disciplinary Committee accept the grounds for an appeal it will advise the club's secretary of the time, date and venue of the appeal hearing and a panel will be appointed. The advice shall specify the alleged disciplinary offence(s) and give the club at least 7 days notice of the hearing. Receipt of the advice must be acknowledged within 24 hours. If a receipt is not received the author of the advice must contact the recipient(s) by telephone. The club secretary shall advise all the club's Participants accordingly.
- 7.5 If a notice of appeal is accepted, the penalty shall not take effect pending the hearing of the appeal, which shall take place as soon as is practicable and in any event within 14 days of receipt of notice of the appeal.
- 7.6 The appeal shall be by way of a new hearing to consider the grounds given by the player and or club before an Appeal Panel (Appeal Hearing). The Appeal Panel shall be appointed by the Discipline Chairman and shall consist of not less than three persons and not more than five persons drawn from a list approved by the L&DCC's Management Committee. The Discipline Chairman shall appoint one of the Appeal Panel members to act as Chairman of the Appeal Panel. None of the Panel should have been part of the original Disciplinary Panel, be connected with the Participant or any relevant opponent at the time of the alleged breach, or any Participant who might directly benefit from any disciplinary action. The Participant shall

have the same rights of attendance and representation, and to call witnesses as they had before the Disciplinary Panel.

- 7.7 If the Participant is to have representation present at the hearing then details of that representation must be given to the Disciplinary Secretary not less than 7 days before the date of the hearing.
- 7.8 The L&DCC Disciplinary Secretary will take the notes of the hearing and the L&DCC Disciplinary Representative will present the sequence of events leading up to the Appeal.
- 7.9 The Appeal Panel will be provided with the minutes of the original hearing and may call on umpires, players, independent witnesses and any other person(s) whom they may consider to be of assistance in their enquiries, for example a member of the original Disciplinary Panel or other relevant individual. Umpires will receive expenses as described above (Clause 5.8).
- 7.10 The travelling expenses of the three members of the Appeal Panel plus those of any others called to give evidence will be the responsibility of the player's club. The L&DCC will pay these expenses if the appeal finds in favour of the player.
- 7.11 In the event of more than one club being involved in the hearing, the cost will be equally shared.
- 7.12 The standard of proof shall be on the balance of probabilities rather than the criminal standard of beyond reasonable doubt.
- 7.13 Non-attendance at the Appeal Hearing by a Participant without good and valid reason for such non-attendance will automatically result in forfeiture of their right of appeal.
- 7.14 The Appeal Panel may confirm, vary or reverse the decision of the Disciplinary Panel and it shall have the power to increase the penalty and award costs of the Appeal Panel hearing and forfeit the whole or part of the deposit (in reaching its decision, the Appeal Panel may have regard to whether the right of appeal was exercised in good faith and upon reasonable grounds). Decisions of the Appeal Panel shall be by majority vote; where necessary, the Chairman shall have a casting vote. The decision of the Appeal Panel shall be made at the time of the Hearing and the Appeal Panel Chairman shall advise the player and club. The L&DCC Disciplinary Secretary shall inform the L&DCC Management Committee of the outcome.
- 7.15 The decision of the Appeal Panel shall be final and binding. Any further communications to any L&DCC Official from a disciplined participant complaining about the decision will lead to further disciplinary action against the player and his club as appropriate.

8. NON-PAYMENT OF DISCIPLINARY FINES

- 8.1 Any fine levied must be paid to the treasurer of the L&DCC within 28 days of the club being notified of such fine.
- 8.2 Any fines still outstanding at the end of that 28 day period shall be increased by 100% of the original fine. At the end of that period the secretary or chairman of the offending club shall be notified to the effect that the fine is outstanding and given a reminder that if after a further period of 14 days from that reminder, the fine is still outstanding, a deduction of five points shall be made in regard to the team from which the fine arose (or, if the fine does not arise from a particular team, the club's first team).

9. MUTUAL RECOGNITION OF PENALTIES

- 9.1 The L&DCC and clubs shall mutually recognise and give full effect to any penalty imposed by the Disciplinary and Appeal Panels of the L&DCC.
- 9.2 The L&DCC and clubs shall recognise and give effect to penalties imposed pursuant to any disciplinary or relevant regulations of all competitions under the auspices of County Cricket Boards, as defined and listed in the ECB's Articles of Association from time-to-time, and any other competitions as directed by the ECB from time-to-time.
- 9.3 The L&DCC and clubs shall mutually recognise and give full effect to any disciplinary penalty imposed by all competitions subscribing to or recognised by the ECB.
- 9.4 For the purposes of this paragraph 8, a Participant may not play in matches under the auspices of the L&DCC whilst serving a suspension given by any other League or a Recognised Competition. For the avoidance of doubt, in the event any other League or a Recognised Competition suspends a player for a consecutive number of matches or for a period of time, that player may not play in any matches under the auspices of the L&DCC until that suspension has been served.
- 9.5 In order to give effect to the mutual recognition of penalties between the L&DCC and Recognised Competitions, the L&DCC may report and receive information in regard to penalties imposed upon Participants pursuant to the Disciplinary Regulations to and from the ECB and Recognised Competitions. Information will be shared about the penalties imposed on Participants on a 'need-to-know' basis with such Participants and other persons/bodies as are necessary to give effect to the penalty.

10 DATA PROTECTION CONSENT

Each Participant shall be deemed to have agreed, for the purposes of the Data Protection Act 1998 and otherwise, that their personal data may be processed and disclosed in accordance with, and for the purposes of the implementation of, the Disciplinary Regulations.

11 CONFIDENTIALITY

- 11.1 All disciplinary proceedings which take place under the Disciplinary Regulations shall be confidential and shall take place in private.
- 11.2 The L&DCC and the ECB shall have the right to publish any written decision of a Disciplinary Panel or Appeal Panel, including (but not necessarily limited to) publication on their websites, and Participants shall be deemed to have consented to such publication.

APPENDIX 1 – BREACHES OF DISCIPLINE

Certain conduct, whether on or off the field of play of play, amounting to a breach of the Laws of Cricket and/or the Spirit of Cricket has been categorised *into ABBs and Levels 1 to 4* which are set out below. ABBs are covered in Appendix 2 as well as certain Mandatory Reports.

Level 1 (2 to 6 weeks)

- 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

Level 2 (3 to 8 weeks)

- a) abuse of the cricket ground, equipment or fixtures
- b) showing dissent at an umpire's decision by word or action
- c) using language that is obscene, offensive or insulting and or the making of an obscene gesture
- d) showing serious dissent at an umpire's decision by word or action
- e) inappropriate and deliberate physical contact between players in the course of play
- f) charging or advancing towards an umpire in an aggressive manner when appealing
- g) throwing the ball at or near a player, umpire or official in an inappropriate and dangerous manner
- h) using language or gesture that is obscene or of a serious insulting nature to another player, umpire, team official or spectator
- i) the bowling of fast short pitched balls that result in the bowler being disallowed from bowling further in that innings

Level 3 (4 to 10 weeks)

- a) intimidating an umpire
- 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 (or that person's perceived) age, race, religion, sex, 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 (Minimum 10 weeks)

- a) threatening 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 (or that person's perceived) age, race, religion, sex, 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 the conduct above, whether on or off the field, the Discipline Chairman shall determine the appropriate Level with reference to the following factors:

- the level of harm caused (or potentially caused) to the interests or reputation of the League(s) or the game of cricket in general;
- whether any alleged language used or gesture made may offend, insult, humiliate, intimidate, threaten, disparage or vilify another person on the basis of that person's (or that person's perceived) age, race, religion, sex, sexual orientation, colour, descent or national or ethnic origin;
- whether it is alleged that any conduct was intended to cause physical harm to another person, or such harm was reasonably foreseeable;
- whether it is alleged that any conduct was intended to cause distress to another person, or such distress was reasonably foreseeable;
- whether it is alleged that any behaviour caused harm to a child, or such harm was reasonably foreseeable;
- the level of harm/distress the alleged conduct caused (or may have caused) to another person;
- whether it is alleged that any conduct was criminal or otherwise unlawful; and
- any other factor relevant to the particular circumstances of the alleged conduct.

In determining the appropriate level, it is again to be remembered that the core aim of the Disciplinary Regulations is to maintain the highest standards of behaviour and conduct in the game of cricket. The Level determined for an alleged breach of the Code of Conduct should be proportionate to achieve that core aim.

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. Participants 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 Participant'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 - DISCIPLINARY TARIFFS

Accumulated Bad Behaviour warnings (ABB)

Where both umpires agree that the level of general behaviour and misconduct does not warrant a formal disciplinary report, then they should report the incident as an ABB on the match report card. The reporting of such offences is mandatory. Typical reasons for ABBs are listed below. **Two ABBs in twelve months will result in an automatic 1 week ban.**

- (a) **Shouting of foul or abusive language** whether in self-frustration or at or to an umpire or player, at such a level as to be heard at or beyond the boundary thus bringing the game and L&DCC into disrepute.
- (b) **Excessive or orchestrated appealing** including 'ridiculous' lbw appeals from a position where the fielder could not possibly make a considered appeal.
- (c) **Premature 'celebrations'** prior to an umpire's decision.
- (d) **Advancing towards the umpire** in an aggressive manner when appealing.
- (e) **Gesturing/pointing towards the pavilion** upon dismissal of the batsman or any other form of aggressive 'send-off'.
- (f) **Persistent questioning of an umpire's decisions** and comment thereon – where this falls short of (c) Abuse of an Umpire above.
- (g) **Any action(s) whatsoever considered by both umpires to be outwith the 'Spirit of the Game'**.

Mandatory reporting to the Governing Body under the Laws of Cricket

The umpires jointly are instructed to report transgressions to the L&DCC Disciplinary Secretary under the following headings:

Law 18.5 - deliberate short runs

Law 24.2(c) - fair delivery – the arm

Law 42.3 - changing the condition of the match ball **

Law 42.4 - deliberate attempt to distract the striker **

Law 42.5 - deliberate distraction or obstruction of batsman **

Law 42.6, 7 and 8 - dangerous and unfair bowling **

Law 42.9 - time wasting by the fielding side

Law 42.10 - batsman wasting time

Law 42.11, 12, 13 and 14 - bowler, fielder or batsman avoidably damaging the pitch **

Law 42.16 - batsmen stealing a run

Law 42.18 - players' conduct

** These offences are likely to incur a minimum **TWO WEEKS** ban

Other Reported Disciplinary Offences	Tariff
1 Abuse of cricket equipment, clothing, ground equipment or fixtures and fittings The knocking of stumps, or the throwing or kicking of a bat, ball, helmet, boundary flag, rope or any equipment on the field of play or within the curtilage of the club premises or ground.	Minimum 2 WEEKS
2 <u>Abusive behaviour</u> <u>Using language and/or gesture of an obscene or a serious insulting nature to another player, umpire, team official or spectator.</u>	2 WEEKS min to 6 WEEKS
3 Aggressive behaviour 3.1 Repeated charging or advancing towards an umpire in an aggressive manner when appealing. The Captain may also be disciplined.	3 WEEKS min to 8 WEEKS
3.2 Throwing the ball at or near a player, umpire or official in an inappropriate and dangerous manner.	
3.3 The bowling of fast short pitched balls that result in the bowler being disallowed from bowling further in that innings.	
3.4 Inappropriate and deliberate physical contact between players during play.	
4. Captain failing to control his players following a request This is a major transgression against the Spirit of Cricket	3 WEEKS min to 8 WEEKS
5. Abuse of an umpire (inc. intimidation by word or action) 5.1 Dissent by action OR verbally, 5.2 Dissent by action AND verbally,	2 WEEKS min to 6 WEEKS
5.3 Verbal OR written abuse (including language that is obscene, offensive or insulting and/or the making of an obscene gesture.	Minimum 3 WEEKS
6. <u>Intimidating and threatening behaviour</u> 6.1 <u>Intimidating an umpire</u>	5 WEEKS min to 10 WEEKS
6.2 <u>Threatening to assault another player, team official or spectator</u>	
6.3 <u>Racial / Homophobic/Sexual Abuse of any person</u> <u>Using language or gesture that offends, insults, humiliates, intimidates, threatens, disparages or vilifies another person on the basis of that person's race, religion, sex, sexual orientation, colour, descent, national or ethnic origin.</u>	
6.4 the deliberate bowling of any high full-pitched ball (Law 42.8)	
7. <u>Threatening and violent behaviour</u> 7.1 <u>Threatening an umpire</u>	Minimum 10 WEEKS
7.2 <u>Physical assault on another player, umpire, official or spectator</u>	
7.3 <u>Any act of violence on the field of play</u>	

7.4 **Racial / Homophobic/Sexual Abuse of any person**

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, sex, sexual orientation, colour, descent, national or ethnic origin.