



# **West Essex Cricket Club**

## **Disciplinary Rules Policy**



### **1. BASIC PROCEDURES AND GUIDELINES**

- a) West Essex Cricket Club shall operate a Disciplinary Policy in accordance with the current Disciplinary Rules operating within the jurisdiction of the England & Wales Cricket Board & Essex Cricket League except where modified below.
- b) The ECB “Code of Conduct and Spirit of Cricket” statement shall operate throughout the Club.
- c) These rules shall apply to all League, Cup, Friendly, Representative and Junior matches played under the auspices of West Essex Cricket Club and any functions organised by the Club.

### **2. MAINTENANCE OF DISCIPLINE**

- a) The Club Committee is the authoritative body in respect of discipline within the Club and shall take whatever measures are required to maintain an acceptable standard of behaviour and inflict appropriate penalties.
- b) A Disciplinary Panel shall be appointed by the Club Committee and will deal promptly with any complaint or incident.

### **3. CODE OF CONDUCT**

- a) All players, officials and supporters are bound by the Club Disciplinary Rules and shall conduct themselves accordingly.
- b) Unsatisfactory conduct shall include, but not be limited to:
  - ❖ Dissent at an umpire’s decision or reaction in a provocative or disapproving manner, whether verbal or written.
  - ❖ Physical abuse, intimidation, assault or attempt to intimidate or assault an umpire, official, player or spectator.
  - ❖ The use of crude, foul or abusive language or the making of offensive gestures or hand signals whether directed at an individual or otherwise.
  - ❖ Sledging or deliberate distraction of an opponent and persisting appealing in order to pressurise an umpire or opponent.
  - ❖ Any form of abuse or discrimination relating to race, religion, creed or any other nature.
  - ❖ Willful damage to property, equipment or playing surface.
  - ❖ The use or distribution of illegal drugs or substances.
  - ❖ Conduct unbecoming of a gentleman or any other action that is likely to bring the Club or Game of Cricket into disrepute or prejudice its good name or interests.



- ❖ Repeated infringements of the Spirit of the Game, either by an individual or a team where each infringement in itself does not merit any immediate disciplinary action. Such instances will result in a Disciplinary Hearing and the Captain will be held responsible for the conduct of his team.
- ❖ Unacceptable behaviour, by word or action, at any function organised by the Club.
- ❖ Mistreatment or harassment of an individual or group either in person or via electronic equipment including, but not limited to, mobile phones, email and social networking sites.

#### **4. RESPONSIBILITY FOR MAINTAINING DISCIPLINE**

- a) The Club has the overall responsibility for the behaviour of its members and maintaining discipline.
- b) Captain / Team Manager

The Captain and, in the case of junior teams the Manager of the team, is responsible at all times for ensuring that play is conducted within the spirit of the game as well as within the laws. The Captain or Team Manager can instruct a West Essex player to leave the field of play and take no further part in the game or make a complaint against a player after the game to the West Essex Cricket Club Secretary. Failure to take suitable action against an offender may render the Captain or Manager liable to a charge of 'Unsatisfactory Conduct'.

#### **5. ACTION TO BE TAKEN FOLLOWING AN INCIDENT**

In the event of an incident occurring, West Essex Cricket Club will instigate an investigation and take appropriate action against offenders, irrespective of whether the incident has been reported to the League. The Captain, Team Manager or officials of West Essex Cricket Club should forward any complaint against a West Essex player by the umpires, opposition or spectators to the West Essex Cricket Club Secretary as soon as possible.

#### **6. PLAYERS**

- a) Outstanding Disciplinary Action

1. No player who is currently under suspension or involved in uncompleted disciplinary action imposed by any other league or member club of another league may play in matches for West Essex club.
2. West Essex Cricket Club must endeavour to check the disciplinary record of any player whom they intend to sign from a club in another league.
3. West Essex Cricket Club may refuse to register any player until the Club is satisfied that the player's disciplinary status is acceptable.

- b) Representative Games

Players representing other sides are subject to the West Essex Cricket Club Disciplinary Rules and will be answerable for any disciplinary transgressions.



### c) Overseas and Contracted Players

Each contracted or overseas player is subject to the Club Disciplinary Rules.

## **7. REPORTING AN INCIDENT**

a) Any complaint about incidents of misconduct or improper behaviour must be notified in writing to the Club Secretary no later than five days following the incident. Any complaints reported outside this time will only be accepted in exceptional circumstances and at the discretion of the Club Chairman. The complaint should be supported with evidence, such as written statements from witnesses and other documents.

b) Upon receipt of such a complaint, the Club Secretary shall give notice to the Respondent and copy the evidence in support.

## **8. CONVENING A DISCIPLINARY HEARING**

The Club shall convene a Disciplinary Hearing within 14 days of receipt of the complaint and shall notify the Complainant and the Respondent of the date, if the incident occurred on the field of play then the Captain or Team Manager shall also be notified. It is the responsibility of the Complainant and the Respondent to present evidence, including arranging the attendance of witnesses, at the Disciplinary Hearing. The West Essex Cricket Club Disciplinary Committee can decide to proceed with matters in the non-attendance of a player unless a valid reason is given.

## **9. DISCIPLINARY HEARING**

a) The hearing is not a Court of Law but an enquiry into the circumstances giving rise to the complaint. No legal representation will be allowed. The Disciplinary Committee shall comprise of three members of the Cricket Committee. The Chair shall appoint one of the members to make a written note of the Disciplinary Hearing. The decision, penalty and other matters arising for determination at the Disciplinary Hearing shall be on the basis of a simple majority vote. In the event of a split decision, the Chair shall have the casting vote.

b) No person who is connected in any way with the complaint shall be involved in convening or officiating at the Disciplinary Hearing or on an Appeal.

c) The decision of the Disciplinary Committee shall be given at the meeting, will be confirmed in writing as soon as possible thereafter by the Club Secretary and will be put into effect at the date thereof subject to any possible appeal. In the event of an appeal being lodged, the penalty shall be suspended until determination. No further discussion or submissions will be taken at the meeting.



d) The Chair shall determine the conduct of the hearing which shall be in accordance with the procedures laid down hereafter.

## **10. PENALTIES**

The Disciplinary Committee shall impose such penalties as they consider appropriate in accordance with the schedule of penalties laid down by the Club from time to time which shall be published. If a member is found guilty of breaching ECB and England & Wales Cricket Board directives, the West Essex Cricket Club Disciplinary Committee has the power to:

- ❖ Recommend the West Essex Cricket Club Cricket Committee should dismiss the member.
- ❖ Suspend the member for a number of games depending on the seriousness of the incident.
- ❖ Give the member a written warning about their future conduct.
- ❖ The West Essex Cricket Club Disciplinary Committee can reserve the right to take into account the conduct of a player during the three previous seasons.

## **11. APPEAL PROCEDURE**

a) The Complainant and the Respondent may appeal the decision of the Disciplinary Committee providing new evidence is forthcoming. The Club Secretary must receive new evidence in writing to enable the Disciplinary Committee to decide if an appeal is warranted. If not warranted, the decision is final. If warranted, the Secretary should set a date for an appeal as soon as possible. An appeal against the decision of the Disciplinary Committee shall be given in writing, setting out the reasons thereof, and must be received by the Club Secretary no later than seven days from the date of the decision to be appealed against. The Disciplinary Appeal Committee shall have the power to accept an appeal out of time only in exceptional circumstances.

b) Upon receipt of an Appeal, the Secretary shall convene a meeting of the Disciplinary Appeal Committee and give no less than seven day's notice to the complainant and the Respondent.

c) The Appeal is also not a Court of Law and no legal representation shall be allowed. The Disciplinary Appeal Committee shall comprise of five members of the Cricket Committee, excluding any who comprised the Disciplinary Committee whose decision is under appeal. In the event that there are insufficient qualified persons to sit on the Disciplinary Appeal Committee, the Club may appoint other members of the Club to sit. The Disciplinary Appeal Committee shall nominate one of its members as Chair. The Chair shall appoint one of the members to make a written note of the appeal hearing.

d) The Disciplinary Appeal Committee shall have the power to uphold or vary the decision and to uphold, increase or decrease the penalties (if any) imposed or to order a fresh hearing.

e) The decision of the Disciplinary Appeal Committee shall be final and binding on all parties and shall be confirmed in writing by the Club Secretary as soon as possible thereafter.



f) The Chair shall determine the conduct of the appeal which shall be in accordance with the procedures laid down hereafter.

## **12. LEAGUE DISPIINARY PROCEDURES**

If action is taken by the Essex Cricket League against a West Essex player, the Secretary will ensure all procedures are adhered to and will accompany the West Essex player to a hearing.

## **13. NOTIFICATION AND RECORDING OF OFFENCES**

All information relating to Disciplinary matters will be retained by the Club and be available to all Officers of Clubs and Leagues affiliated to the ECB & Essex Cricket League Officials.

***Adopted on 17.04.2019***