

Disciplinary Guidelines and Regulations of Sutton Cricket Club

■ Purpose

The purpose of these guidelines and regulations is to provide a framework at club level for the maintenance of good behaviour both on and off the field in accordance with both the ECB Code of Conduct and Spirit of Cricket and those of the leagues in which our teams play. Our guidelines and regulations are intended to complement and not to supplant their regulations.

■ Philosophy

It is our belief that the club's procedures should be clear and fair with provision for commonsense to prevail over bureaucracy where this is possible. At the same time some formal procedures are necessary as it is not sensible to ask 'what should we do now' every time an incident occurs. The guidelines should be helpful, comprehensive and unambiguous.

Where minors are concerned provision has been included to ensure enquiries are conducted sensitively with their welfare paramount.

■ Scope

The scope is tripartite covering (a) playing behaviour of seniors (b) playing behaviour of colts and (c) off-field behaviour of all members.

Under these guidelines a member is deemed to mean all members whether players or not. Members remain under the jurisdiction of the guidelines whether on our grounds, opponents' grounds or when representing our club at any function. The guidelines also apply in all club matches, whether friendly or competitive, and all practice and training sessions.

■ Code of Conduct

All members are required to comply with:

- a) The club's Disciplinary Regulations.
- b) The ECB Disciplinary Code of Conduct and Spirit of Cricket statement
- c) The disciplinary rules of any leagues or competitions in which the club participates.

It follows that members should familiarise themselves with the above regulations, code and rules.

Unsatisfactory conduct shall include, but not be limited to:-

- dissent or reaction in a provocative or disapproving manner at an umpire's decision;
- physical abuse or intimidation of any player, umpire or other person, both on or off the pitch;
- the use of foul, crude abusive language or the making of offensive gestures whether directed at an individual or otherwise;
- sledging;
- deliberate distraction of an opponent;
- persistent appealing in order to pressurise an umpire or opponent;
- wilful damage to property, equipment or playing surfaces;
- the use or distribution of illegal drugs or substances;
- racial abuse of any kind;
- ungentlemanly conduct or any other wilful action detrimental to the club and its members or that is likely to bring the club or the game of cricket into disrepute.

In addition, team captains are responsible for the actions of their players during matches and must ensure that play is conducted within the 'spirit of cricket' as well as within the laws. Failure to do this is liable to bring charges of unsatisfactory behaviour. Team captains must respond helpfully when required to take action by the umpires in any perceived actions of unacceptable behaviour by a player or players such as time-wasting, deliberate damage to the pitch, unauthorised use of the square for pre-match practising, dangerous or unfair bowling, ball-tampering or any other action which they consider unfair or in breach of the laws of cricket or competition rules.

■ Club structure and procedure for suspected breaches of discipline

The Club Management Committee is the ultimate authority for maintenance of discipline within the club and shall take whatever measures are required to ensure acceptable standards of behaviour.

A Club Disciplinary Panel shall comprise of:

- Disciplinary Chairman (appointed by the club's management committee ;)
- Club Secretary;
- Cricket Coordinator; and,
- Two club members.

This panel will deal with all club disciplinary matters.

Where minors are involved the Club Welfare Officer will also be a member of the panel in an advisory capacity to ensure the interests of the minor are protected and the Disciplinary Chairman may exercise his discretion to limit the panel to its quorum of three.

No person having originated a complaint or having any part in the incident giving rise to the complaint or having any relationship to the complaint originator or the subject of the complaint shall sit on the Disciplinary Panel or take any part in decisions relative to that complaint. The Management Committee is empowered to make substitutions.

Any complaints received by the club from umpires, leagues or other clubs shall be immediately acknowledged by the secretary and referred to the Disciplinary Chairman of the appropriate panel.

Additionally any club member who believes the conduct of another member breaches disciplinary guidelines may inform the Club Secretary in writing. The Club Secretary will confer with the Disciplinary Chairman if he considers the complaint to be trivial. If they agree this is so, then the Club Secretary will advise the member that they consider there is no case to answer or that the matter is so trivial that it is best to let the matter rest. The complaint will be recorded and at their discretion they may speak to the subject of the complaint informally in order to avoid further complaints. The discretionary power not to proceed with a hearing must not be used unless the triviality or lack of substance is absolutely clear. All other cases will be referred to the Disciplinary Chairman. The Disciplinary Chairman or a nominee will ensure that a summary of any investigated incident is recorded and this record is circulated to all disciplinary committee members.

■ Fast-track procedure for player offences

The **Surrey Championship** requires clubs to employ a fast-track system for dealing with player offences so that penalties imposed following incidents on a weekend are effective for the subsequent weekend. The club will adopt this time-frame for all player offences arising from all types of matches wherever practicable. The procedure in the Surrey championship is as follows:

1. An umpire must inform both the player and the club as soon as possible after the conclusion of the match, but in any event on the evening of the match that an alleged breach of the Spirit of Cricket and Code of Conduct has taken place and that a report to the League Disciplinary Committee is to be made. The umpire will also inform the chairman of the Disciplinary Committee, currently John Bramhall (m 07798 687328), by telephone that evening or as soon as possible thereafter.
2. The umpire will submit a report detailing the complaint to the chairman of the DC and the chairman of the Umpires Panel in writing (jbramhall@dac.co.uk and beckwiths@blueyonder.co.uk) by the latest 4pm on the Monday.. This report will include the names of the player/s and officials of the club who were notified of the impending report at the conclusion of the match.
3. The umpire's report will be forwarded to the relevant club by the DC by 4pm on the Tuesday at the latest. The report will be sent to the email address already provided by the club to the League Secretary, currently David Edwards, together with an indication of the DC's preliminary view on

the matter. It will be the club's responsibility to ensure that the League are in possession of the most appropriate email address and to contact the chairman of the DC if the report needs to be sent to an alternative email address or fax number. The DC's preliminary view may be to take no action other than to record the complaint and notify the club. More normally it will indicate an appropriate level of penalty for the alleged offence based on precedent and assuming the offence to be proved. Alternatively it may put forward a request for further information or to ask the club to indicate what disciplinary action it intends to take. In instances of a serious nature where a ban of more than two matches, a points deduction or expulsion etc is being considered, the matter may be referred to a Disciplinary Hearing in accordance with League rules.

4. Unless either the club or the player indicates an intention to contest a proposed penalty by 4pm on the Thursday, the said penalty will come into force effective from the Saturday. Failure to respond in a timely matter will be no grounds for delaying the implementation of the penalty because the club and the player will have known of the impending report from the Saturday of the match and should have ensured they have prepared and communicated their response accordingly including an indication of any proposed internal club disciplinary sanction.
5. Any complaints to the League initiated by anyone other than an umpire will be dealt with promptly by the DC but will not be subject to the accelerated time-frame set out above.

■ **Internal club actions to conform to fast-track procedure¹**

- a. Players and officials notified of an impending report at the conclusion of a match will notify the club's Disciplinary Chairman that evening or as soon as possible thereafter with as much detail of the alleged complaint as is possible.
- b. The club's Disciplinary chairman will confer by telephone with a minimum of two Disciplinary Panel members to ascertain their initial response and appropriate penalty if any.
- c. The player is then contacted by telephone and advised whether prima facie the club's panel believes the player guilty or not and an appropriate penalty if applicable.
- d. At this point the player is asked whether he wishes to plead guilty or request a Disciplinary Hearing which could result in a more serious penalty if the guilty verdict were confirmed..
- e. Once the player has either accepted the verdict and penalty or has opted to appeal, the club's Disciplinary chairman should contact the League Disciplinary chairman to confer about the situation. This contact must be made not later than 4pm on the Thursday. Obviously the League's report to the club made by 4pm on the Tuesday may well mean further discussion between the club's Disciplinary Chairman, panel members and the player but in any case the club's response must be made to the League DC by 4pm on the Thursday.
- f. In cases where the League has decided not to inflict a penalty on the player, the club may still decide to proceed with its own penalty.

■ **All other disciplinary complaints and panel hearings**

Disciplinary Panels will convene within 14 days of a complaint being lodged. They will inform the person who is the subject of the complaint, in writing, the details of the complaint and the place, date and time of the hearing within 7 days and not less than 5 days before the hearing. The person who is the subject of the complaint has a right to call witnesses and to be accompanied by a friend or representative.

¹ The prominence of the Surrey Championship procedures above is deemed appropriate since the Club is a member of four separate competitions within the Championship; by far the greatest involvement in a specific league competition by the Club. However, all members are required to comply with the disciplinary rules of any leagues or competitions in which the club participates. Thus, due consideration of the disciplinary procedures as laid down by the following competitions must also be adhered to: [The Surrey Cricket League](#); [The NEC Colts League](#), and the [Surrey Trust and Development Leagues](#). In addition any cup competitions not organised by any of the aforesaid leagues, including the Surrey Championship.

The ECB has drawn particular attention to the standard of proof required. The matters being civil rather than criminal the Disciplinary panel does not have to prove cases beyond reasonable doubt but only on the balance of probability.

The outcome shall be communicated in writing within 7 days to the member about whom the complaint was made and to the originator of the complaint.

An appeal may be lodged within 7 days to the Club Secretary. Any penalty will then be suspended pro tempore. An Appeal Committee consisting of Club Chairman and two others not present at the original hearing will conduct the appeal within a further 7 days. Their decision will be final and binding on all parties.

Disciplinary panels and Appeals hearings involving minors will be conducted in a sympathetic and informal manner with the object of ensuring that the minor feels completely unthreatened and undamaged by the process and to have been fairly treated. The Club Welfare Officer will be present at any such appeal, even though present at the original hearing.

■ **Conduct of Hearings and Appeals**

Disciplinary Chairmen and Appeals chairmen should familiarise themselves with the ECB guidelines and conduct hearings and appeals in accordance with that reference document which will be lodged with the Club Secretary. These guidelines are clear, helpful and specific regarding representation, separation and calling of witnesses, private deliberation of panels, announcement of verdicts, communication of appeals procedure to the accused and all other matters pertaining to what should happen during an actual hearing and appeal.

■ **Penalties.**

If at the hearing the Disciplinary Committee finds the alleged offence proved it shall have the power to impose one or more of the following penalties:-

- a) To require the member to submit appropriate letter(s) of apology within a specified time.
- b) To record a reprimand and give a warning as to future conduct.
- c) To impose a fine.
- d) To suspend a player for one or more matches or for a stated period of time.
- e) To suspend club membership for a stated period of time.
- f) To expel a member from the club.

The Disciplinary Committee shall have the power to suspend any part of the penalty it imposes for such period and subject to such conditions as it deems appropriate.

■ **Note regarding fines and costs**

The club will always seek to recoup from members any costs resulting from damages caused by wilful damage. Players will be responsible for costs imposed by the Leagues for individual hearings by the League's Disciplinary Committees.

Fines and costs imposed by the club will be payable within 14 days or within a timescale arranged with the club; and failure to pay within agreed timescales will result in non-selection until payment is received.

The Club in the form of the Management Committee reserves the right to notify the relevant authorities regarding any suspected criminal offence that someone may commit.

**Sutton Cricket Club, Committee;
January 2012.**