

The Devon Cricket League

www.devoncricket.co.uk



President: GRAHAM SHEARS 'The Bungalow' Rockland's. Station Hill. CHUDLEIGH TQ13 0EE
Chairman: STUART MUNDAY 83, Hemerdon Heights, Plympton PLMOUTH Tel: 01752 335001
Secretary/Administrator: GEOFF COISH 11, Kiln Road, BOVEY TRACEY TQ13 9YJ
Tel: 01626 834344 **Fax:** 01626 835282 **Mobile:** 07833 193477 **Email:** admin@devoncricketleague.co.uk
Hon Treasurer: GRAHAM MUNDAY 2, Higher Hill View SIDMOUTH EX10 9DG
Tel: 01395 514607 **Mobile:** 07974794869 **Email:** treasurer@devoncricketleague.co.uk

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Disciplinary Regulations and Procedures

The DCL is committed to maintaining the highest standards of behaviour and conduct. To this end, these discipline regulations incorporate major parts of the ECB Model Code of Conduct and The Spirit of Cricket, BUT, fundamentally, they are no different from the DCL Rules applied previously.

The regulations are intended to provide assistance and uniformity to all clubs and the DCL EMC in dealing with any alleged breach of the Code of Conduct and The Spirit of Cricket and are aligned to the ECB Non-First Class procedures.

Any club which fails to take all reasonable steps to ensure the proper conduct of its players, officials and/or members 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 DCL, breaches this Code of Conduct.

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 disciplinary report. To this end, it is important that clubs consider having their own code of conduct and disciplinary procedures in place.

For the purposes of these regulations, a 'player' is any player, member or official associated with any DCL affiliated club, or a spectator of a member club. Where wording is used that implies reference to the male gender, it shall be taken to refer to either sex.

The Code of Conduct applies to alleged offences that take place on any part of a cricket ground or building and not merely on the field of play.

1. Code of Conduct and Spirit of Cricket

1.1 Code of Conduct

1.1.1 All players and clubs, by virtue of their registration with the DCL, explicitly agree to abide by this Code of Conduct, which incorporates the Spirit of Cricket, and are bound by the provisions in these Regulations.

1.1.2. The captains are responsible at all times for ensuring that play is conducted within the Spirit of Cricket as well as within the Laws of cricket.

1.1.3. 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 or a spectator.

1.1.4. Players and club officials shall not intimidate assault or attempt to intimidate or assault an umpire, another player, a club official or a spectator.

1.1.5. Players and club officials shall not use crude and/or abusive language (known as “sledging”), nor make any offensive gestures or hand signals, nor deliberately distract an opponent.

1.1.6. Players and club officials shall not use language or gestures that offend, insult, humiliate, intimidate, threaten, disparage or vilify another person on the basis of that person’s race, religion, sexual orientation, colour, descent or national or ethnic origin.

1.1.7. Players and club officials shall not use or in any way be concerned in the use or distribution of illegal drugs.

1.1.8. Players and club officials shall not make any public or media comment which is detrimental to the DCL, clubs, umpires or the game in general. In this instance, media shall include press, radio, television, external websites, club websites, social networking sites and club match programmes.

1.1.9. Players and club officials shall not disclose or comment upon any alleged breach of this Code or upon hearing any report or decision arising from such a breach.

1.1.10. Clubs must take adequate steps to ensure the good behaviour of their players, officials, members and supporters.

1.2. Spirit of Cricket

Cricket 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.

1.2.1. 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.

Players Conduct

In the event of any player failing to comply with the instructions of an umpire, criticising his/her 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.

1.2.2. 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.

1.2.3. 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.

1.2.4. 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

1.2.5. The Spirit of the Game involves RESPECT for:

Your opponents

Your own captain and team
The role of the umpire
The game's traditional values

1.2.6. **It is against the Spirit of the Game:**

To dispute an umpire's decision by word, action or gesture

To indulge in cheating or any sharp practice, for instance:

- 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.

1.2.7. **Violence**

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

1.3. Failure to comply with the provisions of the Code of Conduct may lead to disciplinary action, irrespective of an alleged breach being related to a match not under the jurisdiction of the DCL.

2. Breaches

2.1. A breach of the disciplinary regulations occurs when:-

- a. Any player in the course of, or in connection with a match, offends against the Code of Conduct and/or the Spirit of Cricket or acts at any time to prejudice the good name or interests of the DCL.
- 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 DCL.

2.2 Any player or club committing such a breach shall be liable to penalties as prescribed in Section 5.

3. DCL Reporting Procedure.

3.1. A report of an alleged offence (the 'Complaint') is received in writing by the DCL Administrator usually no later than seven days from the date of the game prompting the complaint. All complaint reports will be treated in confidence.

3.2. The DCL Administrator informs the alleged offender's club that a complaint has been Received together with details of the complaint and that it is being assessed by the Disciplinary Officer. He will also acknowledge receipt of the complaint to the complainant as soon as practicable.

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

- a. A welfare and child protection case or
- b. An outright disciplinary case. If the incident is being investigated by another organisation (e.g. the Police, ECB Welfare Department etc.) the DCL will await the outcome of that investigation.

3.4. The complaint is rigorously assessed by the DCL Disciplinary Officer for compliance against a set of standards devised to ensure that the allegation is fully compliant with those standards. As a result of this assessment, any of the following actions may be taken:

3.4.1. The complaint is dismissed and the club and the complainant informed.

3.4.2. The complaint is formally confirmed to the club and its record held on file for a period of twelve months from the date of the alleged offence, no further action being taken at the time.

3.4.3. The alleged offender and club and is provided with full details of the charge(s) together with a copy of the Complaint report form and called to attend a DCL Disciplinary Hearing at the Disciplinary Officer's instruction.

3.4.4. The DCL Administrator shall also call all or any other players, the captain and club officers deemed to be implicated in the complaint to attend the Hearing.

3.5. The Disciplinary Officer will usually be the DCL Chairman but may be any other member or co-opted member of the Disciplinary Sub Committee.

4. The Disciplinary Hearing.

4.1. Any Hearing shall take place in accordance with the current Regulations of the DCL.

4.2. The Panel convened for a Disciplinary Hearing shall consist of not less than 3 persons and not more than 5 persons drawn from a list approved by the DCL EMC, to include suitable outside persons but excluding the DCL Administrator who shall be present in a purely minute-taking capacity. None of the Panel should be connected with the player, the club or their opponents at the time of the alleged breach, or a club which might directly benefit from any disciplinary action. Each member of the Panel will have one vote.

4.3. No player or club shall be required to answer any complaint unless the Club concerned shall be given, in writing, at least seven days' notice of the date of the disciplinary hearing at which such complaint is to be considered, and details of the complaint. It shall be the responsibility of the Club to notify, as soon as possible thereafter, any of its players who may be named in such notice.

4.4. Where more than one player is called, the complaint against each individual shall be heard separately.

4.5. Where a Club is called, no more than one Officer of the Club shall be allowed to attend. He shall have the same restrictions and privileges as a player. The hearing shall take place separately from any other hearing related to the alleged offence.

4.6. In the event that a player or Club fails to respond to such notice or fails, for whatever reason, to attend the hearing, the hearing shall take place in their absence.

4.7. Any player shall be entitled to attend the hearing in person or to be represented by a person of his choice. Where a player elects to attend, he shall be entitled to be accompanied by no more than one 'supporter' who may be any person of his choice. A player attending a hearing shall also be entitled to call witnesses.

4.8. Any witness shall remain outside of the hearing until called and shall leave again once he has presented his account of events to the satisfaction of the Panel. However, the Panel will accept the umpires completed Complaint Report Form de facto in view of their independent nature. However, if the umpires decide to attend the Hearing they can be called to clarify any statement within that Complaint Report.

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

4.10. The decision of the Disciplinary Panel shall be made known to the defendant(s) immediately after the hearing, or series of hearings if more than one is held relating to the complaint(s), and shall be confirmed in writing as soon as possible thereafter.

5. Penalties.

If at the player/captain hearing a complaint is wholly or partially upheld, the Disciplinary Panel shall have the power to impose one or more of the penalties (suspensions) listed hereafter.

Admission of guilt and/or the tendering of an acceptable apology may be considered in mitigation.

A plea that an alleged offender's behaviour resulted from 'wrong' umpiring decisions will NOT be accepted by a Panel under any circumstances.

A player or captain found guilty of the following offences will, on the first occasion, receive the Normal Minimum Penalties listed below.

Degrees of an offence (player/captain):

- 1) Mild – Normal Minimum Penalty applies.
- 2) Serious - Normal Minimum Penalty is doubled
- 3) Very Serious - Normal Minimal Penalty is Tripled (or heavier penalty up to sine die)

In all cases the 'Team' point's penalty is to be applied in addition to individual penalties for players and captains.

Offence	Ref:	Player	Captain as Player	Captain in charge	+ Team
Unfair Play	1.2.4(S)	1	2	1	2 points
Other Sharp Practice	1.2.4(S)	1	2	1	2 points
Dissent	1.1.3(C)	2	3	1	2 points
Language	1.1.5(C)	1	2	1	2 points
Incitement	1.2.5(S)	2	2	1	2 points
Threatening and Intimidating Behaviour	1.1.4(C)	10	10	3	5 points
Violent Conduct / Assault	1.2.7(S)	10	10	3	20 points
Racial Abuse *	1.1.6(C)	10	10	3	20 points
Racial Discrimination *	1.1.6(C)	10	10	5	20 points
Drugs *	1.1.7(C)	2 year Ban	2 year Ban	N/A	20 points
Player Conduct	1.2.1(S)	N/A	N/A	2	10 points
Other (Dispute)	1.2.1(S)	1	2	1	2 points
ECB Youth Directive	ECB Youth	N/A	N/A	5	5 points

Offences marked * occurring during the course of or in association with a Cup match will, in addition, result in expulsion of the Team concerned from that competition.

1. The penalties shown relate to suspension of a player for the number of weeks imposed. Weeks relate to the DCL playing season and will be carried over to the following season where necessary. The penalty weeks shown above apply to a First Offence of a mild nature.

2. Double the Normal Minimum Penalty will apply for a Second Offence, of any type except violent conduct, occurring within a twelve month period.
3. A Third Offence of any type within a twelve month period, except violent conduct, will result in the player/captain being suspended for the rest of the season subject to a minimum of three times the Normal Minimum Suspension shown above, and carried over to the following season where necessary. The team penalty points will also be trebled.
4. Any second offence of violent conduct by a player within a twelve month period will result in an automatic ban for twelve months from the date of the decision.
5. Any subsequent offence of violent conduct, at any time will result in a lifetime ban, which may be reviewed after 5 years at the request of the offender.
6. Any breach of DCL Disciplinary Regulations, where no penalty is prescribed will be dealt with individually by the Disciplinary Panel.
7. Any cases involving reported breaches of Laws 2.6, 18.5, 24.2 will also be treated individually.
8. In addition to a suspension, the Disciplinary Panel may direct the offending player(s) to write a letter of apology to the complainants, where it is considered appropriate to do so.

NOTE

The decision of the Disciplinary Panel will be published by the DCL on the website page within 24 hours of the Disciplinary Hearing. Any match bans imposed shall be advised in writing to the Devon Cricket Board. Players should understand that any suspensions will normally apply to all cricket played under the auspices of the ECB.

A Club found guilty of the following offences under Code of Conduct section 1.1.10. or Law 42, will, on the first occasion, receive the Normal Minimum Fines listed:

Offence	Repeat Offending by Players Incl. Captain	Officials	Other Members/Spectators
Unfair Play (Ref: MCC 42.1 to 42.17)	£50	£75	£50
Language (Ref: 1.1.5(C))	£50	£75	£50
Threatening Behaviour / Intimidation (Ref: 1.1.4(C))	£50	£100	£75
Racial Abuse (Ref: 1.1.6(C))	£100	£150	£100
Violent Conduct (Ref: 1.2.7(S))	£100	£200	£150
Misuse of Drugs (Ref: 1.1.7(C))	£100	£100	£100
Failure to control spectators	-	£50	-

1. The fines on clubs, as outlined, will be applied in proven cases when the club, its officials, members and supporters have been cited by the officiating umpires, or a member of the opposing team or any member of the general public.
2. The fine will be doubled for any subsequent offence by a Club in the same season.

3. A Club found guilty of failure to comply with ECB directives on Young Players will in the first instance be fined £100. Any subsequent offence will attract a fine of £200.
4. Any other unspecified breach of the DCL Disciplinary Regulations, such as relating to Law 40.2, will be dealt with by the Disciplinary Panel, as will repeat or serious breach of any DCL Rule.
5. Persistent offending, defined as a Club being found guilty of any offence under section 1.1.10. of the Code of Conduct on FOUR Occasions over two consecutive seasons will require the club officers (Chairman, Secretary and Treasurer) to attend a Disciplinary Hearing with a view to considering the possible suspension or expulsion of the offending club from the DCL.
6. In addition to a fine, the Disciplinary Panel may direct the offending club to write a letter of apology to any of the complainants, where it is considered appropriate to do so.

NOTE

Fines will not be suspended but will be applied from the date of the Disciplinary Panel's decision or, in the case of an Appeal, from the date of the Appeal Panel's decision.

6. Disciplinary Appeals.

- 6.1. Where a breach of the Code of Conduct/Spirit of Cricket has been proved at a Disciplinary Hearing, a player or club shall have the right of appeal. Where a player and his club are appealing in relation to the same incident, they must do so separately.
- 6.2. A notice of appeal, setting out the grounds must be given in writing to the DCL Administrator and received within seven days from the date of decision of the Disciplinary Panel. The appeal notice can be sent by post, fax or Email.
- 6.3. If the appeal is by a player a deposit of £100, payable to the Devon Cricket League, must be sent with the appeal notice. Where the appeal is from a club, a deposit of £250 will be required.
- 6.4. If a notice of appeal is given within the time frame allowed any penalty imposed by the Disciplinary Panel shall not take effect pending hearing of the appeal.
- 6.5. An Appeal, once lodged, cannot subsequently be withdrawn.
- 6.6. The Appeal Hearing shall take place as soon as practicable and in any event within 14 days of receipt of the notice of appeal.
- 6.7. The Appeal shall be by way of a re-hearing of the case, before a different panel drawn from a list approved by the DCL EMC. The Panel shall consist of at least 3 persons and not more than 5 persons drawn from a list approved by the DCL EMC to include suitable outside persons but excluding the DCL Administrator who shall be present in a purely minute-taking capacity. None of the Panel should be connected with the player, the club or their opponents at the time of the alleged breach, or a club which might directly benefit from any disciplinary action.
- 6.8. The Club or Player shall have the same entitlements as set out in earlier Sections 4.5 and 4.7 respectively.
- 6.9. If the player or club is to have legal representation at the hearing then the details of that representation must be given to the DCL Administrator not less than 7 days before the date of the hearing.
- 6.10. The Appeals Panel will confirm, vary or reverse the decision of the Disciplinary Panel. It shall have the power to increase the penalty and to order the deposit, or part thereof forfeit. However, if the Appeal is upheld in all its aspects, the deposit shall be refunded in full.

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

NOTE

The decision of the Appeals Panel will be published within 24 hours of the hearing on the DCL website page.

7. None Payment of Fines

7.1. Any fine levied under these procedures must be paid to the DCL Treasurer within 28 days of the player/club being notified of such fine.

7.2. 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 shall be notified to the effect that the fine is outstanding. They will be given a reminder that if after a period of 14 days from that reminder, the fine is still outstanding, a deduction of 5 points shall be made from the points gained by the side that received the fine.

7.3. In respect of other payments owed to the DCL by member clubs, these shall be treated as if they were a fine (under the Code of Conduct and the Spirit of Cricket), except that points shall not be deducted. Such payment shall continue to increase by 100% for each further 28 day period that the payment remains outstanding.

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