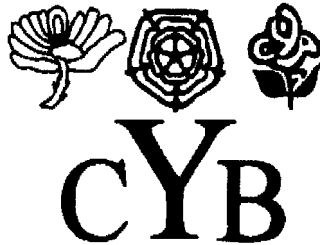


YORKSHIRE CRICKET BOARD



**DISCIPLINARY
CODE AND
PROCEDURES**

APRIL 2011

**incorporating all ECB Regulations and
Procedures as at March 2011**

FOREWORD

The 2001 Disciplinary Code and Procedures was agreed as necessary by both the Yorkshire Cricket Board and the Yorkshire Cricket Association some ten years ago.

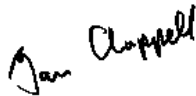
It was been decided to revise and re-issue the Code and Guidelines in 2011. The new code incorporates all current ECB regulations with out of date ones deleted. In truth there has been no major change except of the reporting of sentences on registered players ie those registered by a first class county or minor county or Academy

One other new element is the Appendix on recommended sentencing levels to operate across all clubs and leagues will to ensure consistency across the county. It is acknowledged that some Leagues have their own tariffs but it is expected these will be amended to fit in with the recommendations as soon as possible and no later than season 2012

All Disciplinary matters should be sent to the joint YCB Disciplinary Officer as indicated below

The YCB underlines that it is incumbent on their members to take on board all the code fully as quickly as possible. This includes all offences , reportings and procedures

It is very important to the future of the game that Clubs and Leagues ensure they have the procedures in place including the Anti-Racism Statement and other statements and the Appeals procedures. Together the Clubs , Leagues and Board/Association can then work to significantly reduce the amount of unacceptable behaviour in the game



*Ian Chappell
Chief Executive, Yorkshire Cricket Board
4th April 2011*

ALL DISCIPLINARY REPORTS SHOULD BE SENT TO :

YCB DISCIPLINARY OFFICER

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This Code deals solely with the disciplinary code and procedures within YCB and ECB. It is expected that all member organisations will operate the procedures and codes as closely as possible

A INTRODUCTION

It is the opinion of the Yorkshire Cricket Board that abuse , dissent and other forms of misbehaviour must be removed from the game of cricket and it is vital that when dealing with such a complaint or report that the matter is dealt with along established guidelines and according to the rules of the organisation

YCB Concern

The Yorkshire Cricket Board continue to be concerned at the number of serious misconduct situations arising in cricket and feel strongly that Leagues and Clubs should be given renewed advice on this matter.

The 2001 YCB Disciplinary Code incorporated all the ECB Regulations many of which had been based on Yorkshire's past practice along with the previous guidelines issued by YCA to form one Code for the County. It is felt that it is now time to re-issue this code as amended in 2011

The ECB Regulations are in normal print and YCB guidance and county procedures and guidance in italics.

It is the firm belief of the YCB that issues should be tackled at source which must mean Clubs both on and off the field and the Code is given for their benefit. In addition , Leagues need to take a positive approach as shown also below so that not only are standards upheld and justice is done but that justice is seen to be done

<h2>B CODE OF CONDUCT</h2>

The Board endorses the Code of Conduct issued by ECB as set out below

I. ECB CODE OF CONDUCT AND SPIRIT OF CRICKET

1.1 CODE OF CONDUCT

- 1.1.1 The ECB is committed to maintaining the highest standards of behaviour and conduct. This Code of Conduct incorporates the Spirit of Cricket, as set out below. It applies to all matches played under the auspices of the ECB and may be applied to cricket in general.
- 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.
- 1.1.3 Players and team 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 team officials shall not intimidate, assault or attempt to intimidate or assault an umpire, another player or a spectator.
- 1.1.5 Players and team officials shall not use crude and/or abusive language (known as "sledging") nor make offensive gestures or hand signals nor deliberately distract an opponent.
- 1.1.6 Players and team officials shall not make racially abusive comments nor indulge in racially abusive actions against fellow players, officials, members and supporters. Clubs must operate an active open door membership policy whilst respecting player qualification regulations and welcome players/members irrespective of ethnic origin.
- 1.1.7 Players and team officials shall not use or in any way be concerned in the use or distribution of illegal drugs.
- 1.1.8 Clubs must take adequate steps to ensure the good behaviour of their members and supporters towards players and umpires.

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.

Player's Conduct

In the event of any player failing 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.

1.2.2 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.

1.2.3 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.

1.2.4 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

1.2.5 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
 - a) appeal knowing the batsman is not out
 - b) advance towards an umpire in an aggressive manner when appealing
 - c) 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.

1.2.6 Violence

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

1.2.7 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.

1.3 Failure to comply with the provisions of this Paragraph 1 may lead to disciplinary action, irrespective of an alleged breach being related to a match not under the jurisdiction of the League.

C YCB DEFINITION OF UNSATISFACTORY CONDUCT

By this is meant misconduct, that is dissent, abuse and ungentlemanly conduct, whether verbal , written or physical, whether on or off the field of play and whether carried out by a player, club members or supporter: and in addition the Club which fails to properly control or discipline its players, club members and supporters with regard to any misconduct.

In effect this means any action likely to bring the League , the Club, the Board or the game of Cricket into disrepute or to prejudice its good name and interests

Note

For the purposes of these Guidelines the term ' player' shall be taken to mean any player, professional or otherwise, and also any member or official of any club or organisation or supporter or spectator involved in an incident of possible misconduct on or off the field of play. In addition the term " League " shall be taken to mean any member organisation of Yorkshire Cricket Board .

RACIAL ABUSE

The YCB have the following Policy:

ANTI-RACISM AND RACE EQUALITY

"The YCB are opposed to all forms of racism and are committed towards the elimination of all forms of racism at all levels of sport and to address issues of racial inequality.

The YCB acknowledges that racial disadvantage and discrimination are still present in the sport and are key factors which influence the nature and the extent of the Black Minority Ethnic Communities and individuals.

The YCB acknowledges that the elimination of racial disadvantages and discrimination from cricket is an on-going task and alongside its commitment to working towards the elimination of racism, it will also take positive action to meet the cricketing needs and aspirations of Yorkshire Black Minority Ethnic communities and individuals.

The YCB will encourage all affiliated Leagues and organisations to have a strategy in place to inform their membership of their anti-racism commitment and that existing procedures in place are used to take disciplinary actions against players and officials who racially abuse others players, officials or spectators during matches ".

GENDER AND DISABILITY

The YCB are similarly opposed to all forms of discrimination against women and people of any sexual orientation and those with a disability and are committed towards the elimination of all forms of such discrimination at all levels of sport and to address issues of inequality. The paragraphs regarding racial discrimination and League's responsibilities above apply equally to these

YCB expects all member leagues , associations and clubs to incorporate this statement and policy into their rules and regulations. As with the Code of Conduct Clubs and Leagues are advised to ensure this policy is publicly displayed.

All racially, sexually or disability abusive comments or abusive actions against fellow players , members , officials or any supporter MUST be reported by the umpires or any other responsible official to the appointed League Disciplinary Officer whether they feel they have dealt with them on or off the field of play or not.

Leagues must view these as extremely serious meriting full disciplinary procedures

D. LEAGUES

2.1 INTRODUCTION

- 2.1.1 *Section E for Clubs stresses the importance of clubs having a rule or rules in their constitutions which is/are sufficiently strong and carefully worded so that clubs are well protected in situations where there is need to discipline a player. It is suggested Leagues encourage a proper and responsible attitude to their Clubs by pointing to a need by the League for all clubs to have such provisions within their constitutions or preferably to embody this Code and Regulations into their Rules.*
- 2.1.2 *Leagues should ensure that match officials are aware of the Laws of Cricket and League Rules regarding misconduct and that they should not be reluctant to report such behaviour as is defined in Section C*
- 2.1.3 *Leagues are advised that they should have within their own constitution a rule or rules which will satisfy legal opinion that the wording is sufficiently strong and carefully worded that it will protect the League in whatsoever it may wish to do arising from the receipt of a report concerning misconduct of a clubs or player even in the remotest way linked with the club when such behaviour is deemed to have transgressed beyond the boundaries of what is termed to be reasonable behaviour no matter where this may have occurred.*
- 2.1.4 *By league is meant any League , Association or Member Organisation of the YCB which organises cricket competitions and occasions end includes any Area Cricket Council or Sub-Committee of YCB.*

2.2 CONSTITUTION

- 2.2.1 *The ECB Model Disciplinary Regulations and YCB Code should be adopted or adapted but items highlighted below should always be considered.*
- 2.2.2 *In addition to ECB and YCB rules it is suggested that Leagues adopt a ruling to the effect that" No player under suspension or disciplinary action elsewhere may play in matches under the auspices of the League."*

2.3 DISPLAY

It could be very advantageous to require every club to post a copy of the League rules on the Club premises even if these are only hired for match days. It is always presumed that Leagues ensure every member club has an adequate supply of copies of the League Rules for the Club members to be kept fully informed. The League might find it convenient to provide an extract to the Rules which deal with the results of alleged misconduct)so that notification of such matters can be clearly displayed and on the relevant websites.

Leagues should ensure clubs display the ECB Code of Conduct and the Spirit of the Game and the YCB Anti-Racism and Race Equality Statement.

2.4 DISCIPLINARY PANELS

- 2.4.1 *It is advised that a League has a standing Disciplinary Officer and Panel/ League Disciplinary Committee which can deal promptly with any complaints or incidents and an appeals structure with a separate Appeals Panel (with*

separate personnel) whose decisions will be final and these should be defined in League Rules and as recommended below.

2.4.2 *Leagues are strongly recommended to ensure that their action on incidents which are referred to them are not delayed in any way. It is vital to the well-being of the game that Leagues do act in a positive manner and that Disciplinary Panels and Appeals Bodies are called very quickly so that allegations are dealt with quickly.*

2. 5 PROFESSIONAL , CONTRACTED AND OVERSEAS PLAYERS

Where the league structure provides for the member Clubs to have one or more professional , contracted or overseas contracted players participating within the League, it will be necessary for there to be adopted within the constitution a provision requiring the contractual agreement with such player to incorporate within it the necessary acknowledgement by the player that he accepts that his employment/contract is subject to the provisions of the League Disciplinary Procedures and that the Player must signify in writing signed by him that he is aware of the existence and provision of such rules and that he is bound by their content.

2.6. ECB REGULATIONS FOR CRICKET LEAGUES

2.6 AIMS AND JURISDICTION

These regulations shall apply to any player who plays for any club at any level under the auspices of the ECB and are intended to provide assistance and uniformity to all Clubs and Leagues in dealing with any alleged breach of the ECB Code of Conduct and Spirit of Cricket (Paragraph 1).

It is intended that any breach of Paragraph 1 should in the first instance be dealt with by the player's club who shall notify the Secretary of the League of the result of any action taken against its player.

3 PROCEDURE

3.1 Any alleged breach of Paragraph 1 above shall be notified in writing (to be known as 'a Complaint') to the Secretary of the League. and/or to the Chairman of the League or the Chairman of the League Disciplinary Committee. *or other specified League Official(s).*

3.1.1 In the case of a registered player (see 5.7) being the subject of a Complaint the Head of Non First Class Cricket to be advised immediately by telephone or email by the Secretary of the League and/or to the Chairman of the League or the Chairman of the League Disciplinary Committee.

3.2 Upon receipt of such complaint, and as soon as reasonably practicable, the Chairman of the League or of the League Disciplinary Committee *or other specified League Official(s)* shall consider the complaint and resolve either:

3.2.1 To take no action except to record the complaint and notify the club; or

3.2.2 To endorse the disciplinary action taken by the club; or

3.2.3 To refer the matter for a Disciplinary Hearing which shall be convened by the Chairman of the League or of the League Disciplinary Committee *or other specified League Official(s)* as soon as practicable.

3.4 YCB NOTES - INITIAL PROCEDURES

- 3.4.1 *Where the Umpire(s), Club or other Official reports any incident of alleged misconduct as defined above to the League Designated Official, he shall ensure that this report is in full and in writing preferably on the YCB Report Form .*
- 3.4.2 *YCB issues a Report Form for the use of Umpires and Officials which tries to ensure all matters are covered. Copies are sent annually to League Secretaries and others may be copied or are available from the website. YCB advises Leagues to use these or a similar form.. It is important that wherever possible a report from the Umpires should be a joint report and/or countersigned*
- 3.4.3 *Immediately a report is received, the Designated League Official should call for a report from the Club(s) concerned in the matter and the allegations together with full details of any action which the Club has already taken including situations which are still talking effect.*
- 3.4.4 *The League should expect that where any incident occurs the Clubs(s) themselves will take action , whether or not the Umpires or other Officials report the matter to the League Secretary. A clubs action may be as outlined in Section E.*
- 3.4.5 *Observations on any report and its allegations should be sought from the opposing Club and any umpires who officiated in the match (or such of them not concerned in the original report). In regard to umpires it is further suggested that this should apply whether or not they have been appointed by the League or Umpires Association. It is desirable for the League Secretary or Designated League Official to seek additional clarifying information which is deemed to be necessary on the report and allegations at this stage so as not to delay matters.*
- 3.4.6 **YCB NOTES CASE TO ANSWER** *The League Designated Official and whomsoever he needs to report to has to decide whether there is a case to answer and whether they deem that a Disciplinary Hearing is necessary.*
- 3.4.7 *At the same time they should consider whether the club whose player is involved in the report has been positive in its approach to the case. If they are not satisfied that there has been a positive attitude, then in the interests of cricket and of the League, they should call Club officials before them as a separate issue, but at the same time they should ensure that their own League rules do give them full protection for such an action.*
- 3.4.8 *Should the club have taken appropriate action to satisfy the case, no further action need be taken by the League other than to endorse the Clubs action and where necessary notify to YCB as below*

4 DISCIPLINARY HEARING

- 4.1 In any case which is referred for a Disciplinary Hearing, at least seven days' notice in writing of the hearing and of the offence(s) alleged shall be given to the player (*if necessary via the Club Secretary*), or in the case of a club, its Secretary.

- 4.2 The Chairman of the League or of the League Disciplinary Committee *or the Designated League Official* shall convene a hearing as soon as is practicable and in any event within 21 days of the decision to refer. Any adjournments may be granted at the discretion of the Chairman of the Disciplinary Hearing.
- 4.3 The player and club shall be entitled to attend the hearing, state their case (in the case of a club by its Secretary or other official), to be supported by a colleague and to call witnesses.
- 4.4 The Hearing shall be conducted by the Disciplinary Committee of the League which shall consist of not less than three persons, none of whom shall be connected with the player, the club or their opponents at the time of the alleged breach.

4.5 YCB NOTES - ESTABLISHMENT OF A DISCIPLINARY HEARING

- 4.5.1 *In order that the full independence of various bodies can be seen, people or clubs which are alleged to have transgressed within the jurisdiction of the League should be given formal notice to appear before the Disciplinary Panel and the period of such notice and the manner in which it is issued (eg recorded delivery) should be clearly defined in League Rules (see above). It should be normal for such initial correspondence to go through the Club Secretary and he shall be responsible for ensuring his clubs player then receives the details.*
- 4.5.2 *The alleged offender/Club should be allowed to bring witnesses who can speak to the direct situation on their behalf together with a representative (legal or otherwise).Club representatives may also be required to attend the Hearing when alleged misconduct by one its players is being heard.*
- 4.5.3 *The Disciplinary Panel of the League needs to be empowered to call representatives of the body which has presented the report and allegations or the individual(s) as the case may be, together with other parties from which information has been sought.*

5 PENALTIES

- 5.1 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, together with such order as to costs as it deems appropriate:
- 5.2 In the case of a player:**
- 5.2.1 To require the player to submit appropriate letter(s) of apology within a specified time.
- 5.2.2. To record a reprimand and to give a warning as to future conduct.
- 5.2.3 To impose a fine.(Not to exceed £500)
- 5.2.4 To suspend the player for one or more matches, or for a stated period of time, unless in the case of a registered player. In cases where a registered player is to be penalised the committee should carefully consider whether a time or match ban is most appropriate and in any case no more than five specified days or matches can be levied (see 5.7)

5.2.5 To deduct League points from the player's team.

5.2.6 To expel the player from the League.

5.3 In the case of a club:

5.3.1 To require the club to submit appropriate letter(s) of apology within a specified time,

5.3.2 To record a reprimand and to give a warning as to future conduct.

5.3.3 To impose a fine.

5.3.4 To deduct League points from the club's team(s)

5.3.5 To relegate to any lower division of the League.

5.3.6 To expel the club from any competition of the League.

5.3.7 To expel the club from the League.

5.4 The Disciplinary Committee 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.

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

In the case of registered players (see 5.7) the result of the hearing should be communicated within 24 hours in writing , preferably by e-mail to the Head of non first class cricket, the PCA and the County Cricket Club

5.6 YCB NOTES Suspension Policy **

5.6.1 *The Yorkshire Cricket Board regard it as essential that any SUSPENSION BE FOR A PERIOD OF TIME NOT MATCHES WITH SPECIFIED COMMENCEMENT AND CONCLUSION DATES TO ENSURE THE PLAYER CANNOT PLAY IN OTHER CRICKET DURING A PERIOD OF SUSPENSION. Specific dates should be notified and YCB SEES IT AS NECESSARY to take account of the large number of over-lapping Leagues in Yorkshire and those many leagues which play on days other than Saturday (Rule 11.1.2) Leagues should take into account that any suspension is binding on all other Leagues and all matches under their auspices including competitions organised by the Yorkshire Cricket Board or the England and Wales Cricket Board when they make any decision of suspension. In addition any term of suspension should be timed to start at such a time as shall be necessary to allow an Appeal to be made to the Appeals Body.*

5.6.2 *The decision of the Disciplinary Panel should be given to the alleged offender and Club immediately (but not in the presence of other witnesses) and should be out in writing to the Club Secretary.*

5.6.3 *All proceedings should be carefully recorded together with all correspondence in the matter so that the matter can be shown to have been dealt with in a formal manner.*

5.7 *Registered Players referred in these Guidelines are players registered by a first class county whether 1st XI, 2nd XI or Academy or by a Minor County*

5.8 *Refer to penalty recommendations (Appendix 1)*

6. APPEALS PROCEDURES

IT IS A PRINCIPLE OF NATURAL JUSTICE THAT THERE BE AN APPEALS BODY TO WHOM THE AGGRIEVED PARTY CAN PUT FORWARD HIS CASE FOR RECONSIDERATION.

- 6.1 A player or club shall have the right of appeal to the Appeals Committee. Notice of Appeal setting out the grounds must be given in writing to the Secretary of the League within seven days of the decision of the Disciplinary Committee, together with a deposit of £--- (to be set by the League).
- 6.1.1 *The Grounds for Appeal should only be actioned under the following*
- a) procedural matters*
 - b) Serious miscarriage of justice*
 - c) Sentences inconsistent with Appendix 1*
 - d) New evidence not heard or seen at any previous stage of the disciplinary process*
- 6.2 If Notice of Appeal is given the penalty shall not take effect pending the hearing of the Appeal, which shall take place as soon as is practicable.
- 6.3 The Appeal shall be by way of re-hearing before a different Committee. The composition of the Committee shall be at the discretion of the Chairman of the League or of the League Disciplinary Committee and shall consist of not less than three persons, none of whom shall be connected with the player, the Club or their opponents at the time of the alleged breach. The player or club shall have the same rights of attendance and representation, and to call witnesses as they had before the Disciplinary Committee.
- 6.4 The Appeals Committee may confirm, vary or reverse the decision of the Disciplinary Committee and it shall have the power to increase the penalty and award costs of the Appeal hearing. Decisions of the Appeal Panel shall be by majority vote; where necessary, the Chairman shall have a casting vote.
- 6.5 The decision of the Appeals Committee or, if no appeal, of the Disciplinary Committee, shall be final and binding unless in the case of a registered player, where the player may appeal to the Chairman of the Cricket Discipline Commission who will consider the case under the Rules and Regulations of the ECB (See 5.7)

YCB NOTES

- 6.6.1 *Leagues MUST have provision for an appeal in their rules.*
- 6.6.2 *In the event of an appeal , the Appeal should be heard by a completely independent body. The Appeals Body needs to be declared in the League Rules together with a statement that its decision shall be final (For offences committed under the auspices of a Branch of the YCB , the Appeals Panel is the Appeals Panel of the Board).*
- 6.6.3 *The Appeals Body shall also have the power where they consider the appeal to be without merit to order the deposit to be forfeited*
- 6.6.4 *The Appeal Hearing should be held promptly after being lodged so that there is no delay to an extent that a player may be able to play in important matches.*
- 6.6.5 *There is no appeal to the Yorkshire Cricket Board except for the expulsion or suspension of a player and then only if the player wishes to transfer to a Club in another League and after all league procedures including appeal have been completed.*

E CLUBS

7.4 INTRODUCTION

7.4.1.1 LEAGUES should stress that the initial provision of dealing with any incident of misconduct should be provided for in Club Rules and that they should ensure member clubs establish and operate a Disciplinary Panel and separate Appeals Body.

7.4.1.2 CLUBS are advised that they should ensure that they have the power and preparations to take prompt action over any alleged misconduct whether or not it is due to be reported to the League or other Ruling Body so that the Club shows its own definite intentions to deal with misconduct of any sort.

7.4.2 CONSTITUTIONS

Clubs should have a rule or rules in their constitution sufficiently strong and carefully worded so that the Club is well protected in situations where they need to discipline a player. YCB recommend Section E of this Code be incorporated fully into Club Rules.

7.4.3 DISPLAY OF RULES

It is advisable for a copy of the Club Rules always to be displayed clearly on the Club premises (this is a legal requirement for licensed premises) even if these are only hired for match days and for every member of the club to be periodically issued with them. Non-members can come into consideration and a statement should be posted with appropriate reference to Club Rules.

7. ECB REGULATIONS FOR CLUBS - INTERNAL CLUB ENQUIRY

7.1 The club of its own volition and without any need for the receipt of a written complaint or other prompting shall, where any alleged case of conduct which is not fair and proper occurs as stated in Paragraph 1 above, or otherwise as the club may think fit, forthwith convene an Internal Club Enquiry.

7.2 The purpose of the Internal Club Enquiry shall be to establish the facts and, where appropriate, to take the necessary disciplinary action so as to ensure that the club does not fail properly to control or discipline its player or players and to ensure that the club acts in a manner designed to protect the good name of the club and of cricket generally.

7.3 Any player requested to attend such an Internal Club Enquiry, or any Appeal therefrom, shall be entitled to be accompanied at the Enquiry by a friend or other representative.

7.4 YCB NOTES CALLING OF AN ENQUIRY OR HEARING

7.4.4 It should be emphasised that a Hearing or Enquiry is not a court of law and fulfils the above role only.

7.4.5 It is advisable that a player alleged to have committed an act of misconduct be given formal written notice to appear before the Clubs Disciplinary Panel and the period of such notice, which is recommended to be within seven days of the alleged offence, and the manner in which it should be issued (eg recorded

delivery) should be stated in the appropriate rules.

- 7.4.6 *Such persons should be allowed to bring up to two witnesses who can speak to the direct situation on their behalf as well , if they wish , as someone to represent them at the Enquiry/Hearing. They shall give notice if they are to be legally represented.*
- 7.4.7 *The Disciplinary Panel shall also call on other witnesses present at the time of the alleged act of misconduct. They should not be present when the decision of the Disciplinary Panel is made known to the alleged offender.*
- 7.4.8 *Clubs should ensure their action in such cases of misconduct is prompt and not delayed in any way. If a committee meeting is not to be held for some time they are advised to declare a meeting promptly for the matter to be considered. It is essential that any complaint is not allowed to drag on so that persons who are subsequently found to have transgressed and are suspended can go on playing.*
- 7.4.9 *All matters relating to the case and the Enquiry/Hearing decision should be in writing and recorded.*

8 PENALTIES

- 8.1 If the Internal Club Enquiry finds the misconduct proved, the club (*Disciplinary Panel*) shall have the following powers:
- 8.1.1 To require the player to write letter(s) of apology within a specified time ;
- 8.1.2 To record a reprimand and to give a warning as to future conduct.
- 8.1.3 To impose a fine (not in excess of £500).
- 8.1.4 To suspend the player's right to be considered for selection by the club to play in one or more matches.
(NB YCB advise : if professional or contracted this must be on basic pay unless his contract states otherwise).
- 8.1.5 To suspend the player's membership of the club for a period.
- 8.1.6 If the conduct constitutes gross misconduct the club shall have the power to terminate the player's membership forthwith.
- 8.2 The club for the same offence may, if it is thought fit, impose more than one of the above penalties.

8.3 YCB NOTES NOTIFICATION OF DECISION

- 8.3.1 *The Panels decision should be conveyed first to the alleged offender and then to the Club representatives. Should the decision involve disciplinary action, the Club Secretary should also advise the guilty party in writing of the decision of the Panel*
- 8.3.2 *Where suspension is involved the League Secretary and YCB Disciplinary Officer MUST be notified by using the form circulated annually and available from the website.*

9. APPEALS PROCEDURE

It is a principle of natural justice that there should be an appeals procedure and be an Appeals Body separate to the Disciplinary Panel to whom an aggrieved party can forward their case for reconsideration

- 9.1 The player shall have the right to appeal to the President of the club or to the President's nominee *or Designated Official and Appeals Panel* for a review of the findings of the Internal Club Enquiry and of the penalty or penalties imposed.
- 9.2 The decision of the President or his nominee *or Designated Official and Appeals Panel* in all cases shall be final and binding.

9.3 YCB NOTES

- 9.3.1 *The clubs rules should include provision for an Appeal Hearing and the fact that it should not include any members of the Disciplinary Panel. Clubs rules should clearly state that its decision will be final*
- 9.3.2 *The appeal should be by way of re-hearing and all procedures should be as above before, during and after the Hearing. Rules should state the period within which an appeal should be lodged which is recommended as seven days from the date of the notification of the Disciplinary Panel decision.*
- 9.3.3 *There is NO appeal to YCB for a Club decisions except in the transfer of the player to another League or Member organisation*

F GUIDELINES ON THE CONDUCT OF HEARINGS AND APPEALS

These Guidelines do not replace or form part of the Model Discipline Regulations which should be read carefully by all those falling under their jurisdiction.

10.1 NATURAL JUSTICE

The rules of natural justice are the minimum standards of fair decision-making imposed on persons or bodies acting in a judicial capacity. The standard of proof shall be on the balance of probabilities rather than the criminal standard of beyond reasonable doubt.

The rules of natural justice consist of the following elements:

- (i) The right to a fair hearing
- (ii) The rule against bias.

10.1.1. The right to a fair hearing

The right to a fair hearing requires that an individual shall not be penalised by a decision affecting his rights or legitimate expectations unless he has been given prior notice of the case against him and a fair opportunity to answer the case against him and to produce his own case.

(a) Prior notice of the hearing

The accused person should be given adequate notice of the allegations against him and of the procedure to be followed so that he may be in an position to make representations on his own behalf, to appear at the hearing, to prepare his own case and to answer the case against him. The time and location of the hearing must also be properly notified to the reported person.

(b) Opportunity to be heard

The reported person has a right to attend the hearing and be allowed to present his case. If the Disciplinary Panel is satisfied that the reported person has been given adequate notice of the alleged breach and of the time and location of the hearing, they may allow the hearing to proceed if the reported person fails to attend. However, it may not be justifiable to proceed if the time or location fixed for the hearing is such that the person cannot reasonably be expected to attend. Within the Model Discipline Regulations it states that "at least seven days' notice in writing of the hearing and of the offence(s) alleged shall- be given to the player (*or via his Club Secretary*), or in the case of a club, its Secretary".

10.1.2. The rule against bias

A person adjudicating on a dispute must have no pecuniary or proprietary interest in the outcome of the proceedings and must not reasonably be suspected, or show a real likelihood, of bias.

The rule against bias also provides that a party should not normally be judged by his accuser.

10.2 CONDUCT OF A HEARING

Within these Guidelines words importing the singular shall include the plural and vice versa, and those importing the male shall include the female, and vice versa.

10. 2.1. A complaint is received by either the Chairman of the League or the Chairman of the League Disciplinary Committee *or Designated Official* who decides to refer the matter to a Disciplinary Hearing.
- 10.2.2. The Hearing is conducted by at least three persons (the Panel) appointed by either the Chairman of the League or the Chairman of the League Disciplinary Committee *or Designated Official* . No-one connected with the individual or the club, or their opponents, or a club which might directly benefit from any disciplinary action (e.g. by the deduction of points), should be a member of the Panel.
- 10.2.3. The accused person/club should be notified of the offence(s) alleged against him/them and the time and location of the hearing. The notification should be in writing, include all relevant documentation and give at least seven days' notice.
- 10.2.4. The accused person is entitled to be supported by a colleague. There is no right to legal representation but the Panel would normally permit the accused person to be legally represented. However, the attendance or otherwise of the legal representative should not be used as a `delaying tactic'. In the case of a minor it is recommended that he should be supported by the County Board/League Child Welfare Officer or other appropriate adult.
- 10.2.5. If the complaint has been made by the umpires, they should be available to give evidence at the hearing.
- 10.2.6. Witnesses should not be present in the room at the outset but should be called in individually to give their evidence at the appropriate time. (Ideally, a separate waiting area should be provided for each party). It is recommended that in the case of a minor attending to give evidence on behalf of either party he should be supported by an appropriate adult.
- 10.2.7. The Chairman should open the hearing and introduce all the parties. He should then briefly outline the procedure to be followed , specifying the standard of proof to be adopted.
- 10.2 8. The charges against the accused person/club should be specified.
- 10.2.9. Witnesses should be called individually and asked to give their evidence. The Panel may question the witnesses.. The accused person (or representative)/club may question the witnesses. *It is suggested this be through the Chairman of the Panel.*
- 10.2.10. The accused person/club should be asked to give his/their account and may call witnesses. The Panel may question the witnesses. Once the witnesses have given their evidence and answered any questions, they should either leave the room or, with the permission of the Chairman, they may remain but should take no further part in the hearing.
- 10.2.11. The Panel may question the accused person/club.
- 10.2.12. The Panel should deliberate in private. The Panel's decision should be by majority vote; where necessary the Panel Chairman shall have a casting vote.

10.2.13. The accused person/club should be called back in and the Panel should give their decision as to whether the case is proved or not proved. If proved, the accused person/club should be asked to give any mitigation which might affect the Panel's decision as to sentence, if they have any discretion in this area.

10.2.14. The Panel should consider the sentence in private.

10.2.15. The accused person/club should be called back in and the Panel Chairman should announce the sentence. The accused person/club should be made aware of the Appeals Process, particularly the time within which an appeal should be lodged.

10.2.16. The decision of the Disciplinary Panel and if appropriate the penalty should be communicated to the accused person/club in writing within 21 days.

10.3 YCB NOTES. HEARING PROCEDURES

10.3.1 A Hearing is not a court of law and the decision of the Chairman of the Hearing on its procedure shall be final . The Board suggest the following as a basis for Leagues to consider when determining the Hearing procedure.

10.3.2 The Panel shall agree the general procedure prior to the actual commencement of the Hearing and the Chairman shall explain that procedure prior to the start of proceedings to all parties at the Hearing. It is recommended a general outline be sent in advance to the player/Club concerned.

10.3.3 The Panel should speak through its Chairman only, unless he invites others to speak.

10.3.4 The Player/Club shall be asked if they accept the report and allegations against them. If they do, it should be possible to move to 10.2.13 as above

10.3.5 Any reports and written evidence shall be presented and outlined

10.3.6 The Chairman and the Panel will deal with any points arising from the testimony and evidence given.

10.3.7 If necessary and appropriate the Clubs representatives might be asked to stay behind after the player leaves and any action to be taken against them will be stated and later confirmed in writing.

10. 4 APPEALS PROCESS

10.4.1. Notice of appeal against the decision of the Disciplinary Panel, whether as to verdict or sentence, to be given in writing to the Secretary of the League within 7 days of the decision of the Panel (together with a deposit of £X (to be set by the League) if appropriate. The notice of appeal should record the decision or part of the decision against which the appeal is made and the grounds and basis of the appeal.

10.4.2. Any penalty imposed by the Disciplinary Panel should not take effect until the appeal has been heard.

- 10.4.3. The appeal must be heard by a different Panel from those who sat on the original Disciplinary Panel. The Appeal Panel must consist of not less than three people, none of whom should be connected with the individual or the club or their opponents, or a club which might directly benefit from any disciplinary action (e.g. by the deduction of points).
- 10.4.4. An appeal against the verdict should take the form of a complete re-hearing. The accused person or club shall have the same rights of attendance and representation and the ability to call witnesses as they did at the first hearing.
- 10.4.5. At an appeal against the sentence, the accused person or club shall have the same rights of attendance and representation as they did at the first hearing.
- 10.4.6. Decisions of the Appeal Panel shall be by majority vote with the Chairman having a casting vote where necessary. The decision of the Appeal Panel is final and binding.
- 10.4.7. The Appeal Panel can confirm the Disciplinary Panel's decision, vary it or reverse it. It has the power to increase the penalty and award costs.
- 10.4.8. The decision of the Appeal Panel and if appropriate the penalty should be communicated to the accused person/club in writing within 21 days.
 - 10.4.8.1. *The YCB recommend that the accused person/ club should be notified within 48 hours of the meeting ending (by telephone or e-mail) and confirmed in writing within 7 days where possible*

G SENTENCING GUIDELINES – RECREATIONAL GAME

The following are guidelines to sentencing policy which may be used by Disciplinary Panels in determining the appropriate sentence in any individual case. The guidelines provide a method of considering individual cases but are not a tariff and should not be considered as such. **Only a Disciplinary Panel can decide on the penalty appropriate to any individual case but some sentencing guidelines in range of penalties are in Appendix 1**

11.1 Players' Behaviour

In the event of any player failing 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.

Breaches of paragraph 1.2.5 of the Spirit of the Game should automatically be reported by the umpires to the executive of the club concerned and to any Governing Body responsible for the match. Such breaches will be treated seriously and are likely to result in suspension.

11.2 Accumulated Bad Behaviour

Repeated infringements by an individual of the Spirit of the Game (where it is decided that each infringement in itself does not merit any immediate disciplinary action), should always result in a Disciplinary Hearing. Taking into account captains' responsibilities as set out in paragraph 1.1.2 of the Model Discipline Regulations, repeated infringements by a team are likely to result in the captain being held responsible for the conduct of his team (whether or not individual players are also identified for disciplinary action) and being called before a Disciplinary Hearing. The penalties available includes suspension. When issuing the penalty, the Disciplinary Panel may take account of instances of poor team discipline in previous years, particularly where the on-the-field captain is the same. Leagues should ensure that captains understand their responsibility for the "on the field" behaviour of themselves and their team members.

If suspension is the penalty, this will normally take effect immediately.

11.3 Violence

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

Proven cases of violent conduct against an official will inevitably result in a lengthy term of suspension.

Violence against a spectator or another player will also normally result in suspension, the length depending upon the circumstances.

If suspension is the penalty, this should take effect immediately.

11.4 Racial Abuse

Players and team officials must not make racially abusive comments nor indulge in racially abusive actions against fellow players, officials, members and supporters. Racially abusive comments or actions will normally result in suspension, the length depending upon the circumstances.

11.5 Drugs

It is ECB's policy that there should be no distinction drawn between 'performance enhancing' and 'recreational' drugs. Use or distribution of illegal drugs by players or team officials is a breach of the ECB Code of Conduct.

11.5 Appropriateness of Penalties

In all cases and for all offences, an admission of guilt will almost certainly result in a lesser sentence being imposed than if the matter is contested - credit being given for the admission. Plainly, the extent of the credit to be given will depend upon all the circumstances of the case, including how early the admission of guilt is made, but, save possibly in the most trivial of cases, it will not normally be such as to change the nature of the penalty or to bring about total suspension of the penalty.

Whatever penalties are applied should be applied with consistency. Fines are normally more appropriate for individual breaches of regulations or the Code of Conduct. Points penalties are normally more appropriate in the case of a Club or where a significant number of the team have contributed to the breach.

It is likely that cases of accumulated bad behaviour and cases of violent conduct will result in a suspension of at least four weeks. ***Suspensions of four weeks' duration should be reported by the League to their nominated County Board for national circulation. Players should understand that suspensions of this length will normally apply to all cricket played under the auspices of ECB.

Leagues should notify their nominated County Board of a *** four week suspension or above upon expiry of the seven day period within which notification of intent to appeal should be made or, in the case of an appeal, immediately upon conclusion of the appeal hearing.

H REPORTING PROCEDURES

12.1. NOTIFICATION TO YORKSHIRE CRICKET BOARD

12.1.1 *Notwithstanding the ECB four week ruling ALL suspensions of whatever length should be reported to YCB and will be activated and recorded within the county.**

12.1.2 All expulsions or suspensions made by a member organisations **MUST** be reported to the Board within seven days of the decision being made or confirmed on Appeal

12.1.3 Therefore Leagues suspending Players **MUST** inform YCB and forms for this purpose are provided annually to League Secretaries

12.1.3 The forms should be sent to :
 The Disciplinary Officer of the Yorkshire Cricket Board
 The Secretary of the relevant Area Cricket Council(s)
 Secretaries of neighbouring Leagues and organisations

The names and addresses will be provided annually in the YCB Handbook, Directory and website. It is vital to the game that this is done consistently efficiently and promptly in all cases

12.1.4 It is important that , when a player is the recipient of any disciplinary action by his Club , League or YCB that the player shall not play in any competition , be it League or similar name where the organising body is a member of the Yorkshire Cricket Board unless and until the full term of that disciplinary action have been cleared or unless and until the disciplinary action has been set aside by the decisions of the appropriate Appeals Body

12.1.5 Similarly transfers of players between Clubs within a particular League or to a Club in another League shall not be permitted and the YCB Players Inter-League Transfer Form (available from website) shall not be issued until the player has fulfilled all his outstanding obligations which shall include the terms of disciplinary action.

12.1.6 Where a member organisation shall have judged any person guilty of such conduct as to have imposed a penalty of suspension , that suspension shall be **FOR A PERIOD OF TIME**, with specified commencement and conclusion dates. Such a suspension shall be binding on all other member organisations and all matches under their auspices including competitions organised by the Yorkshire Cricket Board and ECB .

12.2 ECB PROCEDURE FOR COMMUNICATING DISCIPLINARY DECISIONS TO COUNTY BOARDS AND LEAGUES

12.2.1 Introduction

The ECB expects all Leagues to adopt the new Model Regulations, which include the ECB Code of Conduct and the Spirit of Cricket, which forms the Preamble to the 2009 Code of the Laws of Cricket.

12.2.2 Objectives

This procedure is designed to ensure that a player who has been suspended for disciplinary reasons by a League cannot play in another League, or in any recreational match under the jurisdiction of the ECB, during the period of the suspension. It is also designed to promote consistency in sentencing and to introduce additional sanctions for persistent offenders.

12.2.3 Participation by Leagues

12.2.3.1 Within the YCB boundaries, affiliated Leagues and Clubs MUST participate by reporting to the YCB Disciplinary Officer that they operate the full ECB Model Guidelines or send a copy of the League Rules if the rules are not a full incorporation of this Code including ECB Regulations. YCB will forward these to ECB

12.2.3.2 The League must also register with their local County Board (if they do not already do so). *[All YCB leagues are affiliated to YCB]* .In the case of a League that crosses County Board boundaries a 'home' County Board should be identified and the other appropriate County Boards must be notified.

12.2.4 Notification Procedure

12.2.4.1 Within the YCB boundaries, affiliated Leagues and Clubs MUST participate by reporting ALL suspension of whatever length to the YCB/YCA Disciplinary Officer . YCB will forward these to ECB where they are relevant (12.2.4.2)

12.2.4.2 Any suspension of a player for a period of four weeks or more should be notified to the local County Board using the YCB form (available from website). Notification should take place either after any appeal has been heard or once the period for lodging an appeal has expired

12.2.4.3 The County Board will review the decision and, provided the Board is happy that the suspension is appropriate in the circumstances, will enter the suspension on the CBMS system.

12.2.4.4. If the County Board does not believe that the suspension is appropriate they can decide not to pass the information to Lord's. This will not affect the suspension imposed by the League but will mean that it is not extended to other Leagues. The Board will notify the League if it decides not to support the decision of the League.

12.2.5 County Board Responsibilities

12.2.5.1 Each County Board should maintain a register of Leagues within their area and establish a procedure for reviewing any suspension imposed by these Leagues. It is recommended that separate registers are maintained for adult and junior Leagues.

12.2.5.2 Once the County Board has reviewed any suspension the Board should enter the suspension on CBMS or write to the League confirming that the suspension has not been forwarded.

12.2.5.3 County Boards are asked to identify an individual who will be responsible for the processing of any suspensions from local Leagues and for passing information received from Lord's on suspensions from outside the Board's

area to the local Leagues. It is strongly recommended that this individual has access to the CBMS system and e-mail .

12.2.6 Applicability of Suspensions

12.2.6.1. Any suspension approved by the County Board will automatically apply to all League cricket, to matches in any ECB recreational competition and to County Board representative cricket, including the 38 County Competition and the ECB Trophy. The Minor Counties Cricket Association will be notified of suspensions and will be asked to respect them in MCCA matches.

12.2.7.3 Disciplinary Offences in Representative Cricket

Disciplinary offences occurring in Representative matches will initially be dealt with by the relevant County. The ECB must be informed of any such occurrence and of the penalty imposed and reserves the right to refer the matter to the ECB Disciplinary Commission, who have the power to increase any penalty deemed to be inadequate for the offence.

12.2.7.4 Repeated Offence

The ECB will maintain a record of suspensions and reserves the right to refer a second or subsequent repetition of an offence to the ECB Disciplinary Committee, which has the power to impose additional penalties as appropriate.

12.3 YORKSHIRE CRICKET BOARD

12.3.1. SUSPENSION POLICY

12.3.1 Any suspension should be for a period of TIME - not matches - to cater for the special condition of the YCB where there are many neighbouring and overlapping leagues to which players may try to transfer and along with midweek leagues and where clubs often have teams in a number of leagues

12.3.2 It is essential to note that any term of suspension extends to all leagues and their clubs.

12.4 TRANSFER OF CLUBS WITHIN A LEAGUE

12.4.1 Sanction should not be given to offenders to transfer clubs within the League whilst they are serving any term of disciplinary action. Neither should sanction be given if there is a case pending.

12.4.2 It should be noted the term obligation in YCB rules includes any disciplinary action

12.5. TRANSFER TO ANOTHER LEAGUE

*12.5.1 Players or Clubs wishing to transfer to another League are not allowed to do so to another Club or League which is member of the Yorkshire Cricket Board whilst they are recipients of disciplinary action
NB YCB has reciprocal agreements with a number of other counties to , prevent the movement of players under disciplinary action and suspension*

12.5.2 Where the player concerned in the disciplinary action wishes to transfer his allegiance to a club in another League , then the right of appeal under Rule 9.1 .shall be to the Yorkshire Cricket Board

I. APPEALS TO THE YORKSHIRE CRICKET BOARD

13 APPEALS

- 13.1 *Appeal to the Panel of YCB does not operate for internal Club or League matters : only when a suspended player wishes to transfer to a Club in another League or play for his present club in another league.*
- 13.2 *YCB will only consider an appeal on the grounds of whether there was a serious miscarriage of justice in*
a) imposing the penalty
b) procedural matters and
c) the severity of the penalty is inconsistent with previous sentences imposed by their League or is not consistent with YCB Appendix 1
- 13.3 *Appeals can only be made under YCB Rule 9.1 and only after the appeals/disciplinary procedure of the League has been completed. The appeal to YCB must thus be for a release from the ban from playing for a Club in a League other than the League making the ban. Appeals must be addressed to Disciplinary Officer of the YCB.*
- 13.4 *Appeal to the Board shall contain full and relevant information in writing and the Board shall obtain what additional information it deems necessary.*
- 13.5 *Notice of Appeal shall be received by Board not more than 14 days after the decision of the Appeals Body (or Disciplinary Panel) of the League have been confirmed and a deposit of £25.00 should be lodged with the Appeal. The exception to this is where a period of suspension goes into the following season where an Appeal may be lodged after 14 days if the Player wishes to change clubs to another League for the following season*

APPEALS PANEL

- 13.6 *The YCB shall appoint an Appeals Panel in such instances to deal with the matter and the decision of the Appeals Panel shall be final and binding on all parties. The Appeals Panel shall consist of a minimum of three persons , who must be from the Board or Club and Leagues Council of the Board and shall include the Chairman of the Panel . Not one member of the Appeals Panel may be associated with the League or Club with which the individuals associated with the case are associated nor with the Area Cricket Council in the League or Club is situated*

The Disciplinary Officer in consultation with the Board Chief Executive shall appoint the Appeals Panel and shall also fix the date of the Hearing.

The handling of the administration of the Appeal on behalf of YCB shall be under the authority of the YCB Disciplinary Officer

- 13.7 *The League imposing the suspension or penalty shall be asked for a written report to be received not less than five days prior to the date of the Hearing and may be represented (at its own request or that of YCB) at the Hearing.*

- 13.8 *Players or Clubs who are appealing may present evidence in writing to be received not less than five days prior to the hearing or personally at the Hearing They may appear with a representative (legal or otherwise) and may call witnesses except that any witness or Legal representative shall be specified to the YCB Disciplinary Officer in advance to be received not less than five days prior to the date of the hearing.*
- 13.9 *Written evidence received in accordance with the items above shall be sent to all parties to be represented at the Hearing.*
- 13.10 *The YCB Disciplinary Officer or his appointee shall act as Clerk to the Hearing and all written material in relation to the Appeal and details of the Hearing shall be recorded.*
- 13.11 *The Appeals Panel may confirm, vary, increase or reverse the decisions of the Disciplinary Panel or Appeals Body of the League in relation to its effects on other Leagues. It shall have the power where it considers any Appeal to be without merit to order that any deposit be forfeited*
- Except in the case of an appeal under Rule 9.1.2 (from the decision of a Sub-Committee of the Board or an Area Cricket Council) the Appeals Panel shall not have the power to alter a decision made by a League as it affects that League*
- 13.12 *The decision in all cases of appeal to the Yorkshire Cricket Board shall be confirmed by telephone or e-mail within 48 hours and then in writing within 7 days to all parties concerned and that decision shall be final and binding*

J. DISCIPLINARY ACTION FROM ACTIVITIES ORGANISED BY THE YORKSHIRE CRICKET BOARD

- 14.1 *Where the Yorkshire Cricket Board has to consider disciplinary action under rule 9.1.2 from any activity organised by the Board, or the Board on behalf of the ECB, or a Sub-Committee of the Board or an Area Cricket Council, then the Disciplinary Panel will be the organising Sub Committee or Area Cricket Council or their appointed members*
- 14.2 *The procedure to be followed will be the same as for a League Disciplinary Hearing [F10.2-10.3]*
- 14.3 *Appeal to the Appeals Panel of the Board can be made under the procedure outlined in above Appeals section [F 10.4].*

NB Throughout the above , the word " League" is taken to mean any member League, Association or other member organisation.

14.4. DISPUTES BETWEEN LEAGUES

- 14.4.1 *The Yorkshire Cricket Board expects that where there are disputes between Leagues , such bodies shall meet in an atmosphere of cordiality in order to try to resolve the differences and only in the very unlikely possibility of being unable to resolve the situation should the matter be taken to*
- 14.4.1.1 *To the Area Cricket Council where both Leagues are in the same Area*
- 14.4.1.2 *Failing 14.4.1.1 to the Appeals Panel of the Board (see rule 9.1.2) and its decision shall be final and binding. All procedure shall be as for the Hearings as above*

K. CONCLUSION

The role of the YCB in disciplinary matters is a direct one only in the cases of relations between Leagues or of Players and Clubs wishing to transfer Leagues and of report through YCB to ECB of 4 week suspensions.

The decision of a League is final within its own area of jurisdiction

However the YCB requires that all Leagues and other member organisations will act upon these guidelines from YCB .The above if acted upon should also be included or referred to in League Rules. Leagues and Clubs must ensure they have full powers to act in any disciplinary matter and that this is fully catered for in their rules.

Finally is the hope of the YCB that Clubs, Leagues and the Board, by acting in common together on the above lines , can reverse the current trends towards increasing misconduct, can deal with any such misconduct consistently and properly and by doing so can achieve a greater acceptance of the standards of the game , the decisions of its officials and of its Committees by those who participate.

APPENDIX 1

YCB RECOMMENDED SENTENCING LEVELS
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All sentences to be **TIME** not games

Offence	Recommended scale of Penalties
<p>Level 1</p> <p>(a) time wasting by either the fielding side or the batting side which results in a 5 run penalty or the bowler being disallowed from bowling any further in that innings.</p> <p>(b) abuse of cricket ground, equipment or fixtures/ fittings;</p> <p>(c) showing dissent at an umpire's decision by word or action;</p> <p>(d) using language that is obscene, offensive or insulting and/or making an obscene gesture;</p> <p>(e) excessive appealing</p>	<p>(a,c,d,e) Letter of apology or reprimand/warning</p> <p>(b,c,d) Fine - lower end of scale (max £125)</p> <p>(b,c,d,) severe offence or repetition of lesser offence Suspension for 1-4 weeks</p> <p>Further repetition suspension doubled (max 8 weeks)</p> <p><i>Max fines £125</i> <i>Max suspension 4 weeks</i> <i>(repetition max 8 weeks)</i></p>
<p>Level 2</p> <p>(a) showing serious dissent at an umpire's decision by word or action;</p> <p>(b) inappropriate and deliberate physical contact between players in the course of play;</p> <p>(c) charging or advancing towards an umpire in an aggressive manner when appealing;</p> <p>(d) deliberate and malicious distraction or obstruction on the field of play, regardless as to whether such conduct is deemed unfair under Law 42.5;</p> <p>(e) throwing the ball at or near a player, umpire or official in an inappropriate and dangerous manner;</p> <p>(f) using language or gesture that is obscene or of a serious insulting nature to another player, umpire, referee, team official or spectator;</p> <p>(g) changing the condition of the ball other than as permitted by Law 42.3;</p> <p>(h) bowling a fast short pitched ball and/or accidental high full pitched ball that results in the bowler being disallowed from bowling any further in that innings;</p> <p>(i) causing avoidable damage to the pitch that results in a 5 run penalty being awarded under Laws 42.13 and/ or 42.14.</p> <p>As regards level 2(f), it is acknowledged that there will be verbal exchanges between players in the course of play. Rather than seeking to eliminate these exchanges entirely, umpires will look to act under Directive 3.6 when this falls below an acceptable standard.</p>	<p>(g,h,i) Warning or fine Repetition suspension (2-8 weeks) or fine (max £250)</p> <p>(a,c,d,e,f,) Fine (Max £250) Or suspension if severe or second offence 2-16 weeks</p> <p>(2nd Offence min 6 weeks)</p> <p>(b) suspension 4 weeks min (up to 16 weeks) Repetitive conduct Suspension doubled</p> <p>Club suspension of points</p> <p>Team captain responsible</p> <p><i>Level 2 fines max £250</i> <i>Max suspensions 16 weeks</i> <i>(repetition max 32 weeks)</i></p>

<p>Level 3</p> <p>(a) intimidating an umpire or referee; (b) threatening to assault another player, team official or spectator; (c) using language or gesture that offend, insult, humiliate, intimidate, threaten, disparage or vilify another person on the basis of that person's race, religion, colour, descent or national or ethnic origin ,sexual orientation or disability. (d) deliberately bowling a high full pitched ball which is deemed dangerous and unfair as defined in Law 42.6 (b).</p>	<p>(a,b,d) reprimand/fine (max £375) and /or Or (a, b) final warning / fine Suspension if severe (min 4 weeks)</p> <p>(c) suspension (Min 6 weeks)</p> <p>Club can terminate membership</p> <p><i>Level 3 fines max £375 Max suspensions 32 weeks (repetition max 64 weeks</i></p>
<p>Level 4</p> <p>(a) threatening an umpire or referee; (b) physical assault of another player, umpire, referee, official or spectator; (c) any act of violence on the field of play; (d) using language or gesture that seriously offend, insult, humiliate, intimidate, threaten, disparage or vilify another person on the basis of that person's race, religion, colour, descent or national or ethnic origin, sexual orientation or disability</p>	<p>(a) Suspension 8-16 weeks min – max 64 weeks</p> <p>(b, c) Suspension 12 weeks min to 2 years / sine die if severe</p> <p>(d) suspension Min 12 weeks</p> <p><i>Level 2 fines max £500 Max suspensions 52 weeks or sine die (repetition max 24 weeks to sine die)</i></p>
<p>For the avoidance of doubt, any breach reported by an umpire involving violence, the threat of violence or physical abuse of any kind shall also be referred to a Disciplinary Panel of the Cricket Discipline Commission ("the CDC").</p>	

.NB A Guilty plea usually means a lesser sentence (ECB ruling)