

Cricket Newfoundland and Labrador Disciplinary Policy

Cricket Newfoundland and Labrador has adopted the following Disciplinary Policy that applies to both match incidents and violations of the Code of Conduct.

Match incidents

The basis of all our games is outlined in the preamble to the Laws of Cricket.

From the Laws

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. 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 a player failing to comply with instructions by an umpire, or criticizing by word or action the decisions of an umpire, or 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, and instruct the latter to take action.

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.

3. The umpires are authorized 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

4. The Spirit of the Game involves RESPECT for:

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

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:
 - to appeal knowing that the batsman is not out
 - to advance towards an umpire in an aggressive manner when appealing

- to 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

6. Violence

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

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.

Discipline – Match incidents

The presiding umpires shall be the sole authority for settling disputes on the field of play.

No complaints will be accepted that deal with questioning the umpire's decisions on the field, when such decision is clearly within the umpire's mandate (i.e. points of law). The only complaints against umpires that can be considered by the discipline committee must deal with conduct contrary to the spirit of the game; or conduct that brings the game into disrepute.

If a team believes that an umpire has misinterpreted the law, then they should engage the organizing committee responsible for the league in which the match is being played. In any case if the disagreement is based on a decision that depends on the opinion of the umpire (for example whether a batsman is out caught, leg before, run out etc.) then the umpire's decision stands, and no complaint can be brought forward.

Umpires should fully apply Law 42 (Unfair Play) during matches. This law applies to the players on field and players named on the team sheet not on the field of play at the time of the incident. Umpires also have a duty to fully report such incidents to the board.

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 take action when this falls below an acceptable standard. In this instance, language will be interpreted to include gestures. Umpires should in no circumstances become involved in arguments with players even when the player has committed an offence. The recommended procedure is to not respond, consult with the other umpire and follow the procedures outlined in the Laws.

Cricket Newfoundland and Labrador Code of Conduct violations

Cricket Newfoundland and Labrador has adopted a Code of Conduct that describes the expected behaviour of members in relation to the organization outside of match incidents. This code includes sections that deal with members in general, officials, board members, provincial team members, volunteers and social media. Violations of the Code of Conduct are covered under this policy if reported.

Reporting Disciplinary Incidents

A disciplinary issue during a match can be reported by the umpires, a team captain or team manager involved in the match in which the violation is alleged to occur, or a board member. The complaint can be made against either a playing member or non-playing member

(including umpires and other officials; and spectators). Violations of Cricket NL's Code of Conduct outside of match situations can be made by any member in good standing.

The report should be made in writing (electronic format is acceptable), referencing the specific area of the policy or Code of Conduct. The complaint should be made to the Board, via the organization's e-mail, or to the Secretary, or to the President, within seven days of the incident's occurrence. The Board should acknowledge receipt of the complaint within 48 hours and advise those alleged to have contravened the discipline policy or Code of Conduct that a complaint has been lodged.

Discipline committee

Reports will be referred to the Discipline Committee. This committee is chaired by the President or their designate and consists of four additional members including two directors of the Association, and two active players, preferably captains or managers. The committee must consist of members who were not directly involved in the incident as reported.

A hearing, if required, must be held within 14 days of the complaint being received by the discipline committee. Appendix B contains a form to be used by the complainant.

Decisions of the committee will be based on written complaints, but the committee has the right to request further information either in writing or verbally from any witnesses or participants involved. In particular, for match situations, it may consult with the umpires in charge of the game under consideration. The Board shall give notice to both complainant and the subject of the complaint that the matter has been referred to the discipline committee. Any party to the dispute has the right to being heard by the Discipline Committee.

The Discipline Committee may at their discretion hear evidence from the complainant(s), defendant(s) and their witnesses in an effort to resolve the matter. The Discipline Committee shall determine if the Code of Conduct or the Spirit of the Game has been contravened and if they have, it shall reprimand, and/or suspend the offending parties for a period of time that is commensurate with the severity of the offense; or impose any other penalty considered appropriate.

Note that members cannot separate their roles on the field or within the organization. Offences committed as a player may impact the individual's role elsewhere in the organization. Offences committed when acting in a role other than a player (umpires, scorer, spectator) therefore can result in bans as a player.

Note that in terms of penalties, the standard recommendations may be increased if the offence is committed by an individual who holds responsibility for the conduct of the game over and above their individual role. These include:-

- Captains
- Umpires
- Board members

Not all offences will be covered in the guidelines provided (Appendix A), particularly those not committed by players. The committee therefore has to use their best judgment in assigning a penalty to an offence in such cases.

A Cricket NL member not listed as one of the team taking part in the match (i.e. present as spectator, umpire, scorer or manager) is treated as a player for the purposes of determining level of offence in match situations.

The Discipline Committee must present a written judgment to the board, and the parties of the hearing. This should state any penalties imposed, and the main factors considered in imposing them.

The discipline committee has the latitude to follow its own procedure but the recommended process is:-

- Committee convened by the President and provided with written complaint
- Committee meets to determine procedure to be followed
- Committee requests written statement from the subject (s) of the complaint
- Committee requests written statements from any other relevant witnesses
- If needed committee seeks clarifications either in writing or verbally
- Committee provides written report to President
- President communicates committee's decision to complainant, subject of complaint and board.

The preferred disciplinary action for offences committed during a match is in the form of bans from playing. The committee may also consider alternative sanctions including: -

- Suspended bans (bans that are not served, dependent on good behaviour)
- Community service (service that is in the interests of the organization); as a guideline 4 hours of community service should be considered equivalent to a one match ban. This service cannot replace responsibilities held anyway (i.e field preparation if the player's team is responsible for field preparation that day).
- Financial penalties (in the case of property damage)
- Removal from positions of responsibility

Recommended penalties are provided in Appendix A. The committee has the right to impose greater or lesser sanctions depending on the circumstances of the incident.

Additional guidelines for the Discipline Committee:

- a) In deciding penalties, the Discipline Committee should not take into account the prior record of the person charged.
- b) If damage has been caused to any property, the Discipline Committee may order compensation to the aggrieved party as part of the penalty.
- c) The Discipline Committee shall, as far as possible, impose a ban so as to apply to the next match (es) in which the player is scheduled to play.
- d) Where there are separate incidents in the course of a match, the umpire, a participating captain or manager should lay separate charges. If the Discipline Committee finds that the person charged to be guilty of more than one offence, they shall impose separate penalties in respect to each offence. Penalties in such cases are cumulative and not concurrent.
- e) Plea-bargaining is not permitted. It is open to the Discipline Committee to find a player guilty of an offence in a level lower than that in which he is charged where the constituent elements of the lesser offence are the same.
- f) Nothing in this policy alters the onus on the Captain to ensure that the Spirit of the Game is adhered to as stated and defined in the Preamble to the Laws of Cricket.

Appeals

Any person who has been found guilty by the Discipline Committee may appeal the verdict to the Cricket NL Board. Such an appeal shall be in writing and shall be presented to the Cricket NL Secretary within ten days of the judgment being given to the parties concerned. Appeals will only be considered if accompanied by a payment of \$50. The payment will be refunded if the appeal is successful, or at the discretion of the board.

Such an appeal shall only be allowed on one of the following grounds:

- Severity of sentence
- Denial of due process.

The letter of appeal shall specifically and clearly state the grounds for the appeal.

The Cricket NL Board may deny an appeal hearing if it has determined that such appeal is inconsistent with the appeals process or if it is felt that it is based on frivolous grounds.

The Board shall consider the appeal solely on the report of the discipline committee; the purpose of the appeal is not to re-review the incident but to determine if the committee has correctly followed the discipline policy and guidelines.

If the Board finds that due process was not followed, then either the original committee is requested to re-hear the case, following proper process, or a new committee is convened.

The verdicts of the Cricket NL Board on all matters relating to discipline, protests, appeals, etc., shall be final and binding.

Appendix A:

Discipline guidelines- Code of Conduct

Offence	Recommended penalty
On field	
Level 1	
<ul style="list-style-type: none"> - willfully mistreating any part of the cricket ground, equipment or implements used in the match (also applies to umpires) - showing dissent at an umpire's decision by word or action; <u>dissent</u> that consists of obvious disappointment with an umpire's decision or with an umpire making the decision and obvious delay in resuming play or leaving the wicket - A player entering the field to discuss or argue a decision with an umpire (with the exception of the captain of the batting team who may ask permission to enter the field in order to obtain an explanation of a decision). - using language that, in the circumstances, is obscene, offensive or insulting (also applies to umpires) - making an obscene gesture (also applies to umpires) - appealing excessively; <u>excessive appealing</u> is considered to be if any player appeals for a second time after the umpire has made their decision or while the umpire is considering their decision, in an effort to pressure the umpire. The practice of celebrating or assuming a dismissal before the decision has been given in an attempt to influence the umpire also can be considered excessive appealing. - advancing towards an umpire in an aggressive manner when appealing - any other misconduct, the nature of which is, in the opinion of the umpires, equivalent to a Level 1 offence. - A captain may be charged with a level 1 offence if he fails to control his team when requested to by the umpires. 	As per the Laws of Cricket: captain is informed that a Level 1 offence has been committed, and that any further Level 1 offences will be reported and penalty runs awarded
Repeat of a Level 1 offence in a match by the same player	Reported to board; 1 -2 game ban; 5 penalty runs awarded on field
Repeat of a Level 1 offence by the same team in the same match	Reported to board; letter of reprimand to captain and team; penalty runs awarded on field

Public criticism of or inappropriate comments (either verbally or in social media) in regard to match incidents and officiating	1-2 game ban
2 nd report of repeated Level 1 offences in two different matches by a team	1 match ban to captain
2 nd report of repeated Level 1 offences by a single player	Treated as a Level 2 offence
Level 2 offences	
<p>Level 2 offences by players</p> <ul style="list-style-type: none"> - showing serious dissent at an umpire's decision by word or action; dissent may be considered serious when expressed by a clear specific action such as shaking of the head, snatching a cap from an umpire, pointing at the pad or the inside edge, other displays of anger or abusive language directed at the umpire or excessive delay in resuming play or leaving the wicket. - making inappropriate and deliberate physical contact with another player (also applies to umpires) - throwing the ball at a player, umpire or another person in an inappropriate and dangerous manner - using language or gestures to another player, umpire, team official or spectator that, in the circumstances, is obscene or of a seriously insulting nature (also applies to umpires) - Second report of repeated Level 1 offences - or any other misconduct, the nature of which is, in the opinion of the umpires, equivalent to a Level 2 offence. 	5 penalty runs awarded on field; 3-4 game ban
Repeat of Level 2 offence in a single match by a player	Treated as Level 3 offence
<p>Level 2 offences by a team</p> <ul style="list-style-type: none"> - Changing the condition of the match ball (Ball Tampering) in breach of Law 42.3. - Any attempt to manipulate a match in regard to the result, net run rate, bonus points or otherwise. 	3-4 match ban to captain; reprimand to club
Level 3 offences	
<ul style="list-style-type: none"> - intimidating an umpire by language or gesture - threatening to assault a player or any other person except an umpire (also applies to umpires). 	On field; 5 penalty runs and player dismissed from field for the time period indicated in the Laws; 5-9 match ban
<ul style="list-style-type: none"> - using language or gestures that offends insults, humiliates, intimidates, threatens, disparages or vilifies another person on the basis of that person's race, religion, gender, colour, descent or national or ethnic origin should be treated on the field as a Level 2 offence but will be considered a Level 3 offence by the discipline committee 	On field treated as Level 2 offence (5 penalty runs); 5-9 match ban
<ul style="list-style-type: none"> - 2nd report of a Level 2 offence in a season 	5-9 match ban
<ul style="list-style-type: none"> - 2nd Level 2 offence in a match 	On field; 5 penalty runs and

	player dismissed from field for the time period indicated in the Laws; 5-9 match ban
Level 4 offences	
<ul style="list-style-type: none"> - threatening to assault an umpire - making inappropriate and deliberate physical contact with an umpire - physically assaulting a player or any other person (also applies to umpires) - committing any other act of violence (also applies to umpires). 	On field: 5 penalty runs and player dismissed from field for remainder of match. Ban from at least the next 10 games and suspension of membership for the current year.
Off-field offences (violations of code of conduct)	
Officials (umpires, scorers)	Suspensions or bans from taking part in Cricket NL activities, length dependent on severity of offence
Members (social media, general conduct)	Bans, suspension of membership, depending on offence
Directors	Deferred to board for consideration
Provincial squad players (note that when team is travelling, discipline is handled as per the provincial player Code of Conduct policy)	Warnings, reprimands, removal from squad depending on circumstances

Other offences

Where the facts of or gravity or seriousness of the alleged incident are not adequately or clearly covered by any of the above offences, the person laying the charge may allege one of the following offences: -

- conduct contrary to the spirit of the game; or
- conduct that brings the game into disrepute.

The person laying such a charge must specify the level of breach to accompany the charge: for example, “conduct contrary to the Spirit of the Game –Level 2” or “conduct that brings the Game into disrepute- Level 1”.

Appendix B:

Complaint Form

To be provided to the Board of Cricket Newfoundland and Labrador via e-mail to the Secretary, President or to the organization's contact e-mail within 7 days of the alleged incident.

Date and time:

Teams:

Name of person making complaint:

Position of person making complaint in match (umpire, captain, manager):

Name and team of person alleged to have breached Code of Conduct:

Area of Code of Conduct breached:

Description of incident: -