

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.

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.

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. 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.

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.

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.

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.

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.

Penalties

If at a hearing a breach of the the Laws and/or the Spirit of Cricket is proved, a Disciplinary Panel may elect to impose one or more of the following penalties, **together with such order as to costs as it deems appropriate:**

In the case of a player -

To require the player to submit appropriate letter(s) of apology within a specified time.

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

To impose a fine.

To suspend the player for one or more matches, or for a stated period of time (see below).

To deduct League points from the player's team.

To expel the player from the League.

In the case of a club –

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

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

To impose a fine.

To deduct League points from the club's team.

To relegate to any lower division of a League or to a 'linked' league.

The Disciplinary Panel 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.

Breaches of Discipline

Certain conduct, whether on or off the field of play of play, amounting to a breach of the Laws of Cricket and/or the Spirit of Cricket have been categorised into 4 levels which are set out below:-

Level 1

- (a) time wasting by either the fielding side or the batting side
- (b) abuse of the cricket ground, equipment or fixtures
- (c) showing dissent at an umpire's decision by word or action
- (d) using language that is obscene, offensive or insulting and or the making of an obscene gesture
- (e) excessive appealing

Level 2

- (a) showing serious dissent at an umpire's decision by word or action
- (b) inappropriate and deliberate physical contact between players in the course of play
- (c) charging or advancing towards an umpire in an aggressive manner when appealing
- (d) deliberate and malicious distraction or obstruction on the field of play, regardless as to whether such conduct is deemed to be fair under law 42.5
- (e) throwing the ball at or near a player, umpire or official in an inappropriate and dangerous manner
- (f) using language or gesture that is obscene or of a serious insulting nature to another player, umpire, team official or spectator
- (g) changing the condition of the ball other than as permitted by Law 42.3
- (h) the bowling of fast short pitched balls that result in the bowler being disallowed from bowling further in that innings
- (i) causing avoidable damage to the pitch contrary to Laws 42.13 and/or Law 42.14 that results in a five run penalty being awarded

Level 3

- (a) intimidating an umpire
- (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, sexual orientation, colour, descent or national or ethnic origin
- (d) the deliberate bowling of any high full-pitched ball contrary to Law 42.8

Level 4

- (a) threatening an umpire
- (b) physical assault of another player, umpire, official or spectator
- (c) any act of violence on the field of play
- (d) using language or gestures that seriously offend, insult, humiliate, intimidate, threaten, disparage or vilify another person on the basis of that person's religion, sexual orientation, colour, descent or national or ethnic origin.

Sentencing Guidelines

The following is a guide to the match bans that may be imposed by Disciplinary/Appeals Panels for individual breaches of discipline, as set out above:

- (a) Level 1 1 to 2 matches
- (b) Level 2 2 to 8 matches
- (c) Level 3 4 to 10 matches
- (d) Level 4 A minimum of 10 matches

Panels will take the following factors into account when determining the penalties to be imposed:

- (a) If the accused player/club has pleaded guilty
- (b) His previous disciplinary record
- (c) If the player is also the captain
- (d) The conduct of the player subsequent to him being warned and told that he will be reported
- (e) If an appeal is considered to be spurious