

South Essex District Cricket Board - Disciplinary Code and Guidance

Procedure

Any alleged breach of the South Essex District Cricket Board's Code of Conduct shall be notified in writing (to be known as a 'complaint') to the relevant Hon. Competition Secretary or to the Hon. Chairman of the South Essex District Cricket Board (SEDCB). Upon receipt of such complaint, the Chairman of the SEDCB shall have the option to take no further action except to record the complaint and notify the club(s) involved accordingly or to refer the matter to a disciplinary hearing which shall be convened by the Hon. Chairman as soon as practicable.

Disciplinary Hearing

In any case which is referred for a disciplinary hearing, such a hearing shall be called within 21 days of the complaint being received and at least seven days' written notice shall be given to all parties. The Hon. Chairman shall invite a minimum of three and a maximum of five members from either SEDCB Management Committee Officers and/or its President and/or Vice-Presidents and/or from Executives, Directors, Officers, Employees of the Essex County Cricket Board (ECCB) to form a disciplinary panel to hear the complaint, none of whom shall be connected with any player, club or their opponents to which the case refers, nor be involved in a club which might benefit from any disciplinary action, such as the deduction of league points.

The disciplinary panel shall agree on a chairman. 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) and who may call witnesses and be supported by a colleague.

Penalties

If the disciplinary panel finds the alleged offence proven 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:

In the case of a player -

- a. To require the player to submit appropriate letter(s) of apology within a specified time;
- b. To record a reprimand and to give a warning as to future conduct;
- c. To impose a fine (not to exceed £500);
- d. To suspend the player for one or more specified matches or for a stated period of time;
- e. To deduct league points from the player's team;
- f. To expel the player from the league or competition.

In the case of a club –

- a. To require the club to submit appropriate letter(s) of apology within a specified period of time;
- b. To record a reprimand and to give a warning as to future conduct;
- c. To impose a fine;
- d. To deduct league points from the club's team(s);
- e. To relegate to any lower division of the league or competition;
- f. To expel the club from any league or competition.

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. Decisions of the disciplinary panel (a finding that a complaint is proved or not proved or a decision on penalty) shall be by majority vote; where necessary its chairman shall have a casting vote.

Appeals Procedure

A player or club shall have the right of appeal. Notice of appeal setting out the grounds must be given in writing to the Hon. Secretary or Hon. Chairman of the SEDCB within seven days of the decision of the disciplinary panel, together with a deposit of £100 (one hundred pounds). 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 practicable.

The appeal shall be by way of re-hearing before a different panel, known as an appeals panel. The composition of the appeals panel shall be at the discretion of the Hon. Chairman of the SEDCB 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 appeals panel shall agree on a chairman. The player or club shall have the same rights of attendance and representation, and to call witnesses as they had before the disciplinary panel.

The appeals panel may confirm, vary or reverse the decision of the disciplinary panel and it shall have the power to increase the penalty and award costs of the appeal hearing. Decisions of the appeals panel shall be by majority vote; where necessary, the chairman of the appeals panel shall have a casting vote. The decision of the appeals panel or, if no appeal, of the disciplinary panel, shall be final and binding on all parties.