

Barton Town Cricket Club Disciplinary Regulations

2023 EDITION

Pre-Cursor

Barton Town Cricket Club and its Executive Committee have taken the decision to utilise the Lincolnshire Cricket County Disciplinary Groups Disciplinary Regulations 2023 as the basis of its disciplinary procedure. Where possible, as much relevant information has been retained, to make sure that the club is aligned to the processes followed by the LDCCG.

1. AIMS AND JURISDICTION

1.1 The England & Wales Cricket Board (ECB) is committed to maintaining the highest standards of behaviour and conduct in the game of cricket. Barton Town Cricket Club, which operates within the jurisdiction of the ECB, shares this commitment, and takes it very seriously.

1.2 These ECB disciplinary regulations, incorporating the Code of Conduct & the Spirit of Cricket, have been adopted by Barton Town Cricket Club as set out in 1.3, and are intended to provide guidance for the Executive Committee to ensure uniformity in dealing with any alleged breach of the Code of Conduct.

1.3 The regulations shall be complied with by all those who participate in any form of cricket for Barton Town Cricket Club. The regulations shall apply to any player at Barton Town Cricket Club, and any other person or body who is from time to time engaged in cricket related activities under the auspices of Barton Town Cricket Club.

1.4 All participants, by virtue of their membership with Barton Town Cricket Club and/or participation in cricket-related activities under the auspices of Barton Town Cricket Club, agree to be bound by the disciplinary regulations.

1.5 All members are required to cooperate with Barton Town Cricket Club regarding discipline. Every member shall take all reasonable steps to ensure the proper conduct of itself in accordance with the disciplinary regulations & shall not act in any way which is detrimental to the interests or reputation of the game of cricket.

1.6 There is nothing in the disciplinary regulations preventing or discouraging the executive committee from applying additional or stronger sanctions regarding breaches of the Code of Conduct beyond those set out in the regulations, whether they are the subject of a discipline report or not.

1.7 It is to be remembered that the core aims of the disciplinary regulations is to maintain the highest standards of behaviour and conduct within the game of cricket. The procedures detailed in the disciplinary regulations are intended to be fair, straightforward, and proportionate to the needs

of our leagues and participants, respecting fundamental principles of natural justice and fairness, but recognising those involved in the procedures will not typically be, and do not need to be, legally qualified. Therefore, if the principles of natural justice and fairness are not infringed, minor practical or technical points will not serve to invalidate the procedure or any decisions or findings under the disciplinary regulations.

1.8 Failure to comply with the provisions of the Code of Conduct may lead to disciplinary action, irrespective of a proven breach being related to a match not under the jurisdiction of Barton Town Cricket Club.

1.9 For the purpose of clarity:

1.9.1 Leagues in which Barton Town Cricket Club compete will be responsible for dealing with Level 1 & Level 2 offences (except appeals). The Executive Committee will investigate thoroughly all disciplinary complaints and work with the league management team to find a suitable outcome for all parties.

1.9.2 The LCCDG will be responsible for dealing with Level 3 & Level 4 offences.

1.9.3 The LCCDG will be responsible for dealing with all appeals for Levels 1-4 inclusive.

2. CODE OF CONDUCT

2.1 The major responsibility for ensuring fair play rests with the captains, but extends to all players, umpires, and coaches.

2.2 Players and club officials must always accept the umpire's decision. Players and club officials must show self-discipline, even when things go against them. This means not showing dissent at the umpire's decision or reacting in a provocative or disapproving manner towards another player or a spectator.

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

2.4 Players and club officials shall not use crude and/or abusive language, nor make offensive gestures or hand signals, nor deliberately distract an opponent.

2.5 Players and club officials shall not use language or gestures that offend, insult, humiliate, intimidate, threaten, disparage, or vilify another person based on that person's age, disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sex or sexual orientation (the Protected Characteristics under the ECB's Anti-Discrimination Code).

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

2.7 Players and club officials shall not make any public or media comment which is detrimental to the interests or reputation of other participants, clubs, umpires, or the game of cricket in general. In this instance, media shall include (but not necessarily be restricted to) press, radio, television,

external websites, club websites, social networking sites and club match programmes. Nothing in this provision shall prevent any comment which constitutes honest opinion regarding cricketing matters which is made in a fair and respectful manner.

2.8 Players and club officials shall not publicly disclose or comment upon any alleged breach of this Code of Conduct.

3. SPIRIT OF CRICKET

Cricket owes much of its appeal and enjoyment to the fact that it should be played not only according to the Laws, but also within the Spirit of Cricket.

Any action which is seen to abuse this spirit causes injury to the game itself.

The major responsibility for ensuring fair play rests with the captains, but extends to all players, umpires and, especially in junior cricket, teachers, coaches, and parents.

Cricket is an exciting game that encourages leadership, friendship, and teamwork, which brings together people from different nationalities, cultures, and religions, especially when played within the Spirit of Cricket.

There are two Laws which place the responsibility for a team's conduct with the captain.

3.1 Responsibility of Captains - The captains are always responsible for ensuring that play is conducted within the Spirit of the Game as well as within the Laws.

3.2 Player's Conduct – In the event of any player failing to comply with the instructions of an umpire, criticising their 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 act.

4. CONDUCT OBLIGATIONS – ON AND AROUND THE FIELD OF PLAY

Any cricketer shall be in breach of these regulations, at the relevant level of offence detailed below, if they do not conduct themselves fairly and properly on and around the field of play and otherwise in accordance with the Laws of Cricket or the Spirit of Cricket. A cricketer shall be in breach of these regulations if they commit any misconduct on any match day as specified in Law 42 of the Laws of Cricket, namely:

LEVEL 1

- (a) Wilfully mistreating any part of the cricket ground or any equipment or implements used in the match.
- (b) Showing dissent at an umpire's decision by word or action.
- (c) Using language that, in the circumstances, is obscene, offensive, or insulting.
- (d) Making an obscene gesture.
- (e) Appealing excessively.
- (f) Advancing towards an umpire in an aggressive manner when appealing.



- (g) Any other misconduct, the nature of which is, in the opinion of the umpires, equivalent to a Level 1 offence.

LEVEL 2

- (a) Showing serious dissent at an umpire's decision by word or action.
- (b) Making inappropriate and deliberate physical contact with another cricketer.
- (c) Throwing the ball at a cricketer, umpire or another person in an inappropriate and dangerous manner.
- (d) Using language or gesture to another cricketer, umpire, team official or spectator that, in the circumstances, is obscene or of a seriously insulting nature.
- (e) Any other misconduct, the nature of which is, in the opinion of the umpires, equivalent to a Level 2 offence.

LEVEL 3

- (a) Intimidating an umpire by language or gesture.
- (b) Threatening to assault a cricketer or any other person except an umpire.

LEVEL 4

- (a) Threatening to assault an umpire.
- (b) Making inappropriate and deliberate and/or dangerous physical contact with an umpire.
- (c) Physically assaulting a cricketer or any other person.
- (d) Committing any other act of violence.

4.1 A cricketer shall also be in breach of these regulations on and around the field of play if they:

- (a) commit any breach of Law 41 of the Laws of Cricket (Unfair Play); or
- (b) act in a manner contrary to the ECB's Anti-Discrimination Code; or
- (c) conduct themselves in a manner or act in a manner which is improper, or which may be prejudicial to the interests of cricket, or which may bring the ECB, the game of cricket or any cricketer or group of cricketers into disrepute.

4.2 Any Coach, Match Official or Club Official shall be in breach of these regulations if they fail to conduct themselves fairly and properly on any part of the cricket ground on any match day. Conduct which is not fair and proper and will therefore result in a breach of these regulations shall include, but not be limited to:

- (a) Making inappropriate and deliberate and/or dangerous physical contact with, threatening to assault, physically assaulting, or committing any act of violence towards any other participant (including an umpire) or any member of the public.
- (b) Showing dissent at an umpire's decision by language or gesture, advancing towards an umpire in an aggressive manner when appealing or intimidating an umpire by language or gesture.
- (c) Using language that, in the circumstances, is obscene, offensive, insulting or seriously insulting.

- (d) Making an obscene or seriously insulting gesture.
- (e) Conducting themselves in a manner or acting in a manner which is improper, or which may be prejudicial to the interests of cricket, or which may bring the ECB, the game of cricket or any cricketer or group of cricketers into disrepute.
- (f) Acting in a manner contrary to the ECB's Anti-Discrimination Code.

5. CONDUCT OBLIGATIONS – CAPTAIN/CLUB RESPONSIBILITY

If any cricketer commits two or more breaches of the Code of Conduct, which take place during or immediately before or after a match, when playing for the same club in a season, it shall automatically be a separate offence of failing to ensure that the relevant cricketers have complied with their obligations for each of:

- (a) Any person who captained the team in each of the relevant match(es); and
- (b) The Club the cricketer was playing for.

5.1 Clubs shall also be held responsible for disorderly behaviour on any part of the cricket ground on any match day by their members and spectators, unless they can show that:

- (a) They took adequate steps to ensure that their members and spectators behaved in an orderly fashion; and/or
- (b) They did not or could not control entry to that part of the cricket ground by the relevant spectators and it would therefore not be fair for them to be held responsible.

5.2 A Club shall be in breach of these regulations if, at any time, it:

- (a) Fails to take reasonable steps to ensure the good behaviour and conduct of its participants for any breach of these regulations; and/or
- (b) Knowingly permits a cricketer, who is suspended because of a previous breach of these regulations, to play in any match or competition; and/or
- (c) Any of its participants commit any serious, collective, or repeated breaches of these regulations; and/or
- (d) Commits any breach of its obligations under the ECB Anti-Discrimination Code; and/or
- (e) Fails to comply with any decision(s) and/or sanction(s) validly imposed on it or any person within the club, which has arisen following due process as prescribed by these regulations.

6. CONDUCT OBLIGATIONS – OFF-FIELD CONDUCT

A participant shall be in breach of these regulations if they commit any misconduct as set out below which either relates to their participation in recreational cricket and/or is of a sufficiently serious nature to justify disciplinary action being taken in relation to their participation in recreational cricket:



- (a) Making an abusive, obscene, offensive or otherwise insulting comment or gesture (in any form) in relation to any other participant or any other person.
- (b) Any act of violence towards another person.
- (c) Engaging in behaviour that constitutes any form of abuse or harassment, whether physical, sexual, emotional, neglectful or bullying in nature.
- (d) Any breach of the ECB Anti-Discrimination Code.
- (e) Making any adverse public statement or comment in any form and by any means about the performance and/or decision(s) of any match official(s).
- (f) Failing to report to their Club, any relevant criminal offence for which they have been subject to investigation and/or charged with.
- (g) Conducting themselves in a manner or doing or omitting to do anything which is or may be prejudicial to the best interests of cricket, or which may bring or does bring the game of cricket, any participant, Club, League, County Cricket Board or the ECB, into disrepute.
- (h) Any breach of Law 41.
- (i) Failing to comply with any decisions or sanctions validly imposed on them following due process as prescribed by these regulations.
- (j) Engaging in any corrupt conduct in relation to cricket, in particular:
 - (a) Fixing the result, progress, conduct or any aspect of a match;
 - (b) Ensuring the occurrence of a particular incident in a match;
 - (c) Accepting a bribe to conduct the activities described in (a) or (b) above; or
 - (d) Receiving a custodial sentence for any of the activities described in (a)-(c).

7. ONLINE ACTIVITY

Participants are considered responsible for any relevant posts on their social media accounts and may be in breach of these regulations for posting, repeating, commending, or supporting posts or comments by others (e.g., 'retweeting' or 'liking') on social media.

7.1 Posting, repeating, commenting, or supporting posts or comments by others that breach the regulations may itself constitute a breach of the regulations. For example, liking or otherwise promoting or supporting a comment that breaches the ECB Anti-Discrimination Code is likely to result in a breach of the regulations not only for the person who posted the comment in the first place but also for any participant who supports that post.

7.2 If a participant is alleged to have breached Regulation 7 because of having liked or supported a discriminatory comment but claims that someone else logged into their social media account to submit that 'like' (or other supportive comment/gesture), this will not necessarily prevent regulatory action being taken but should be taken into account by the Adjudicator or Disciplinary Panel.

8. BREACHES & REPORTING

All initial reports of breach of the Code of Conduct must be sent to the Disciplinary Officer of the league (and/or another relevant league official) responsible for the match.

8.1 Any participant in breach of the Code of Conduct shall be liable to penalties in the manner prescribed in these disciplinary regulations.

8.2 A breach of the Code of Conduct will normally be categorised as a Level 1, 2, 3 or 4 offence.

8.3 Reporting of breaches by umpires:

8.3.1 If an umpire considers there has been an on-field breach, they must make reasonable efforts to inform the individual (or their Captain or a Club Official) before they leave the ground and make a disciplinary report to the Disciplinary Officer of the relevant body (league or County Board). The disciplinary report shall be made irrespective of any action the umpire may have taken on the field of play.

8.3.2 Any such alleged breach of the Code of Conduct subject to a report, should be formalised through the completion of a written report using the standard ACO discipline report form. The written report should be sent, preferably via email, to the league's Disciplinary Officer or other relevant league official, within 72 hours of the end of the match.

8.4 Reporting of breaches by participants:

8.4.1 Any allegation of a breach of the Code of Conduct by a participant made against another participant which arises from an incident during a match or on the field of play should be, if possible, reported by a team's captain to the umpire(s). It is then the umpire's responsibility to submit a disciplinary report.

8.4.2 It is recognised that some matches may only have 'player umpires', which should not prevent breaches of the Code of Conduct being reported. A written report of the incident must be submitted by a Club Captain or Club Official to the relevant Disciplinary Officer within 72 hours of the end of the match, using the standard ACO discipline report form.

8.4.3 Any allegation of a breach of the Code of Conduct by a participant made against another participant which does not arise from an incident during a match or on the field of play should be notified to the relevant Disciplinary Officer promptly, but no longer than 7 days after the incident giving rise to the allegation. A written report should be produced which would allow the league in question and/or the LCCDG to understand:

- a) The background to the alleged incident.
- b) Why a breach of the Code of Conduct is alleged.
- c) The Level of breach alleged.

Where possible, notifications & reports should be submitted to the relevant Disciplinary Officer (and/or other relevant league official) by a club Secretary or league representative.

8.5 Except for exceptional circumstances, such reports shall not be accepted relating to any alleged breaches of the Code of Conduct which have been, or could have been, reported by an umpire, or

where there has been undue delay in making a notification or report. The relevant league and/or LCCDG may contact an umpire for his/her observations/views on allegations/content of any report.

8.6 Any complaints submitted under Rule 8.4.2 or 8.4.3 must be made in good faith. The submission of a report which is trivial, vexatious, made for tactical reasons or otherwise improper may itself be treated as a breach of the Code of Conduct.

9. PROCEDURE

9.1 Following the receipt of a disciplinary report, a Disciplinary Officer must consider whether there is sufficient information and/or grounds to charge the relevant participant or club with a breach of these regulations. If further information is required, the Disciplinary Officer shall conduct any further investigation that is necessary.

9.2 Once any additional investigation is carried out, if a Disciplinary Officer decides that there is sufficient information to charge the participant or club for an alleged breach of the regulations, and the Disciplinary Officer determines it is right to do so having considered the information and evidence provided, the charge letter issued may include a charge for a different breach to that detailed in the referral.

9.3 Any Level 1 or 2 breach of the regulations should in the first instance be dealt with by the Disciplinary Officer of the league competition in which the breach took place. If there is sufficient information and/or grounds, the Disciplinary Officer will issue a charge letter to the participant and/or the participant's club to share with the participant. If there is not, the Disciplinary Officer will inform the individual who submitted the referral that no further action will be taken.

9.4 If the Disciplinary Officer decides that the matter does not require a hearing, the Summary Procedure in Regulation 10 shall apply. If the Disciplinary Officer decides that the matter requires a hearing, regulations around the individual league's hearing process or the County Disciplinary Hearing process will apply.

9.5 In appropriate circumstances, including if the respondent is not contesting the charge or does not wish to attend a hearing, the Disciplinary Panel Chair may direct that the charge be considered by the Disciplinary Panel by way of written submissions only (i.e. without a hearing) provided that a hearing must be arranged if this is requested by the respondent.

9.6 Complaints of Level 3 or 4 offences being committed will automatically be subject to a full County Disciplinary Hearing. As soon as possible, or at least within 48 hours of receipt of the written complaint, the Disciplinary Officer or other nominated official from the relevant league to which the report was submitted, shall forward this report to the LCCDG.

9.7 The County Safeguarding Manager will immediately be informed of any case which:

9.7.1 Involves a player under the age of 18 years old.

9.7.2 Threatens the welfare of any player, spectator or official regardless of age. In such circumstances the incident may be regarded as:

a) A welfare and child protection case.

b) An outright disciplinary case. If the incident is being investigated by another organisation (e.g. the Police, ECB Safeguarding Department) the disciplinary panel will await the outcome of that investigation.

9.8 The LCCDG or Adjudicator of the relevant league reserves the right to immediately suspend a player without a hearing, if they deem the offence serious enough that not taking any action could put the welfare of players, supporters, or officials at risk.

9.9 In the case of a player registered by a First-Class county, Regional Host or a Hundred team being the subject of a disciplinary report, the Disciplinary Officer must inform the ECB's Integrity Department by email - integrity@ecb.co.uk - that a referral has been received and provide any further information in respect of the disciplinary process that is requested by the ECB.

10. SUMMARY PROCEDURE

10.1 The Disciplinary Officer must provide the charge letter to the Adjudicator and confirm to the respondent (either in the charge letter or separately) the identity of the Adjudicator.

10.2 If the respondent objects to the Adjudicator on the basis of a conflict of interest, the Disciplinary Officer must consider whether to appoint an alternative Adjudicator to consider the conflict of interest and/or as the Adjudicator in relation to the case.

10.3 The Adjudicator will set the respondent a reasonable timeframe to respond to the charge letter in writing, if they wish to, and provide any further information which may be relevant.

10.4 The Adjudicator will consider the charge and determine whether, on the balance of probabilities, there has been a breach of these regulations.

10.5 If the Adjudicator decides there has been a breach of these regulations, they will impose a sanction in accordance with the sanction guidelines which appear in the 'Penalties' section of this document.

10.6 The Adjudicator's decision will be communicated to the respondent and/or, where the respondent is a participant, the participant's club in writing.

11. COUNTY DISCIPLINARY HEARINGS

11.1 In the case of alleged Level 3 or 4 breaches of the Code of Conduct, as well as participant or club appeals against Level 1 or 2 breaches being passed, the league's Disciplinary Officer will pass the case over to the LCCDG so it can assemble a County Disciplinary Panel for a hearing to take place.

11.2 The County Disciplinary Panel is made up of 15 representatives in total – eight different League Disciplinary Representatives, four Association of Cricket Officials Representatives & three Lincolnshire Cricket Representatives.

11.2.1 At all cases referred to the County Disciplinary Panel, three members will be selected to sit - one from each of the three groups of representatives. The panel members for each case will be totally independent and will make their decision based on the evidence provided.

11.3 County Disciplinary Hearings will take place via a Zoom online call to minimise travel times & costs.

11.3.1 In addition to the three members of the panel, an independent notetaker will also be present at the hearing. Their responsibility is to accurately minute the proceedings, which will be backed up by a recording of the call if agreed to by all participants. The notetaker will not be part of the decision-making process.

11.3.2 The Chairman from the league in which the alleged breach(es) of conduct occurred will also be given the opportunity to be present at the hearing if they so wish. They too will not be a part of the decision-making process.

11.4 Participants shall be given at least seven days' notice in writing of the County Disciplinary Hearing, either directly or via the secretary of their club as appropriate.

11.4.1 In any case which is referred to a County Disciplinary Hearing, the panel must be selected and convene within 14 days of the notice to refer.

11.5 Accused participants will be entitled to:

- Submit written statements ahead of the hearing.
- Attend the hearing.
- State his/her case.
- Be accompanied or supported by a colleague/teammate.
- Call witnesses.
- Ask for the hearing to be rearranged and offer reasonable alternative dates if they are unable to attend on the date proposed.

11.5.1 All relevant evidence and notifications of representation or witnesses must be submitted to the County Disciplinary Panel at least 48 hours prior to the hearing.

11.6 Decisions by the panel will be communicated to all parties concerned, including the league in which the alleged breach(es) of conduct occurred, as soon as is reasonably possible following the hearing.

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

11.8 Non-attendance at a County Disciplinary Hearing by the participant or club, having been given reasonable notice of the hearing, will not postpone or cancel the hearing. The hearing will be conducted in the absence of the player or club. Non-attendance at the hearing, without good and valid reason, by the participant or club will automatically result in forfeit of their right to a County Disciplinary Appeal Hearing and the panel's decision will be final & binding.

12. APPEALS

12.1 In all cases that are referred as part of the appeals process, a deposit of £50 (funded by the individual and under no circumstances by Barton Town Cricket Club) should be paid by the participant or their club in advance of the appeal hearing. This deposit is refundable should the County Disciplinary Panel find that the original decision should be overturned.

12.2 Should the original decision be upheld, the money paid by the participant, or their club will go into a centralised pot for the costs of running and administering disciplinary processes.

12.3 A Notice of Appeal setting out the grounds must be given in writing to the relevant league's Disciplinary Officer or the LCCDG as appropriate within seven days of the decision of the Adjudicator or Disciplinary Panel being communicated to the participant in writing and must be done so only if in good faith & upon reasonable grounds.

12.3.1 The Notice of Appeal must contain at least one of the following grounds of appeal:

(a) The decision of the Adjudicator or Disciplinary Panel was against the weight of the evidence.

(b) There was a serious procedural irregularity, which includes the Adjudicator or Disciplinary Panel not following the procedure set out in these regulations, in a way which significantly impacted the rights of the Appellant.

(c) There is fresh evidence (in which case the Notice of Appeal must state why the evidence could not be presented previously) and/or

(d) The decision of the Adjudicator or Disciplinary Panel (including as to sanction) was irrational or unreasonable in the circumstances.

12.4 Should a participant wish to appeal in the case of an alleged Level 3 or 4 breach of conduct, the same timescales and processes apply, but must clearly be given in writing to the LCCDG so a new County Disciplinary Panel can be selected and convened using three different and independent individuals from the overall panel.

12.5 The County Disciplinary Appeals Panel may confirm, vary or reverse the decision of the original panel and it shall have the power to increase or decrease the penalty originally awarded.

12.6 The County Disciplinary Appeals Panel will treat most harshly any player or club whom they consider having abused the appeals process by requesting an appeal for the sole intention of allowing a player to participate in matches during the original period of suspension imposed by the original County Disciplinary Panel or Adjudicator.

12.7 Non-attendance at an appeal hearing by a participant without good or valid reason will automatically result in the forfeiture of their right to appeal.

12.8 Any decision made by an appeals panel will be final & binding.

13. PENALTIES

13.1 As a guideline, the following indicative penalties should be expected to be imposed for any complaint referred and, if appropriate, proved at a disciplinary hearing. The higher end of the tariff band is most likely to be reserved for serial offences or offenders who are the subject of a second or third breach within a period of 24 months:

Level of On-Field Breach	First On-Field Breach	Second On-Field Breach (within 24 months)	Third On-Field Breach (within 24 months)
Level 1	1 week ban	2 weeks ban	3 weeks ban
Level 2	2 weeks ban	4 weeks ban	12 weeks ban
Level 3	6 weeks ban	12 weeks ban	24 weeks ban
Level 4	10 weeks ban	20 weeks ban	40 weeks ban

These sanctions apply to all cricket played under the auspices of ECB, will be effective immediately and will remain on the participant's record for 24 calendar months from the date of the breach.

13.2 Where applicable, penalties will be carried over to apply in the following season.

13.3 Where the complaint is not referred to a Disciplinary Hearing, repeated infringements listed on umpires' reports by an individual player or by a club may still result in additional penalties as laid out below.

13.4. If at a hearing a breach of the Code of Conduct is proven, the Disciplinary Panel shall have the power to impose one or more of the following penalties:

13.5 In the case of a player:

13.5.1 To require the player to submit an appropriate letter of apology within a specified time.

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

13.5.3 To impose a fine, not to exceed £100.

13.5.4 To suspend the player for a stated period.

13.5.5 To deduct league points from the player's team.

13.5.6 To expel the player from the league.

13.6 The Adjudicator or Disciplinary Panel shall consider the following aggravating and mitigating factors, as appropriate, to include but not limited to:

AGGRAVATING FACTORS

- (a) The ages of the participant and any victim at the time of the offence, particularly where the victim was a minor and the participant was not.

- (b) The profile of the participant, including whether they hold a position of responsibility within their club (e.g. Club Captain, Chair or member of senior management).
- (c) Poor previous disciplinary record.
- (d) Failure to cooperate with the Disciplinary Officer and/or relevant Disciplinary Body.
- (e) Any attempt to conceal the breach.
- (f) The extent of any premeditation or planning.
- (g) The level of harm and/or distress incurred.
- (h) The public nature of the offence (such as offending in a public place, via broadcast media or a social media platform).
- (i) Use of discriminatory language or conduct, or any other behaviour that breaches the ECB's Anti-Discrimination Code, whilst also carrying out a separate offence under the regulations.

MITIGATING FACTORS

- (a) Good previous disciplinary record.
- (b) The age of the participant at the time of the offence.
- (c) Admission at the earliest opportunity, where the factual conduct forming the basis of the charge would be capable of being disputed.
- (d) Demonstration of genuine remorse.
- (e) Cooperation with the Disciplinary Officer and/or relevant Disciplinary Body.
- (f) Inexperience of the participant by reference to their age or background at the time of the offence.
- (g) In respect of social media posts, the age of the post and the participant's age at the time of the post.

13.7 The 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.

13.8 In addition, where an individual behaves inappropriately or fails to respect the formality at any level during a County Disciplinary Hearing, the Disciplinary Panel assumes the right to impose further corrective actions or penalties as it sees fit. This includes clubs not responding to disciplinary complaints within timescales required.

13.9 In the case of a player registered to a First-Class county, Regional Host or Hundred team, the result of the hearing should be communicated within 24 hours in writing, preferably by email, to the ECB's Integrity Department – integrity@ecb.co.uk – and the National Leagues and Competitions Manager, the player's County and the Professional Cricketers Association.

14. MUTUAL RECOGNITION OF PENALTIES

14.1 Barton Town Cricket Club and its members shall mutually recognise and give full effect to any penalty imposed by Barton Town Cricket Club or any of the affiliated league's disciplinary panels or the LCCDG.

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Marsh Lane
Barton upon Humber
North Lincolnshire DN18 5JD

Tel. 01652 408445
admin@bartontowncc.co.uk
www.bartontowncc.co.uk



14.2 A participant may not play in matches under the auspices of Barton Town Cricket Club whilst serving a suspension given by any other of the leagues in which we compete or a recognised competition.

14.3 For the avoidance of doubt, in the event any of the leagues or a recognised competition suspends a player for a stated period, that player may not play in any matches under the auspices of our affiliated leagues until that suspension has been served.

14.4 In order to give effect of the mutual recognition of penalties between our affiliated leagues and recognised competitions, a league may report and receive information regarding penalties imposed on participants pursuant to the disciplinary regulations to and from the ECB. Information will be shared about the penalties imposed on participants across our affiliated leagues.

15. DATA PROTECTION CONSENT

Each participant shall be deemed to have agreed, for the purposes of the General Data Protection Regulation 2018 and otherwise, that their personal data may be processed and disclosed in accordance with, and for the purposes of the implementation of, these disciplinary regulations.

16. CONFIDENTIALITY

16.1 All disciplinary proceedings which take place under the disciplinary regulations shall be confidential and shall take place in private.

16.2 Barton Town Cricket Club and the ECB have the right to publish any written decision of a disciplinary panel or appeals panel, including (but not necessarily limited to) publication on their websites, and participants shall be deemed to have consented to such publication.