

# CODE OF CONDUCT AND JUDICIARY PROCESS

## Rules of the Code

Participants must not indulge in “unacceptable behaviour” on any part of a cricket ground, (including the field of play clubrooms, changing rooms and their immediate surrounds) towards either a person involved in the same match or adjacent match, or a general member of the public. Without limiting the generality of the term, examples follow:

- Assault or attempt to assault, either verbally or physically, an Umpire.
- Abuse an Umpire, eg. dispute a decision or react in a provocative/disapproving manner.
- Crude or abusive language or engage in conduct detrimental to the spirit of the game.
- Crude or abusive gestures.
- Assault, attempt to assault or abuse, either verbally or physically, another player.
- Assault, attempt to assault or abuse, either verbally or physically, a spectator.

A breach of the code can be applied to any affiliated school/club member, whether on the field of play or as a by-stander, including across social media either before, during or after a game.

Players or officials (unless authorised by the DA or CA) must not make any public announcement or media comment or engage in any act, omission or conduct prejudicial to the interests of cricket or which may bring the game, the DA/CA or any player or group of players into disrepute.

‘Team Official’ includes any team manager/coach appointed or any other person holding an official position within cricket or the club/team.

## Judicial Panel and Hearings

The Board and/or CA may appoint a Judiciary Panel or Judicial Commissioner to hear allegation/s if the alleged offender disputes the allegation/s. The Panel will hear and decide on the report, in a manner which accords with the principles of natural justice and best ensures a fair and prompt determination.

Upon notification from CA, the Judiciary Panel/Commissioner will arrange a hearing that will take place in person or via video conference within the timeframe as outlined within 16.9.2, or NCA specifically see 16.9.3.

The Judicial Panel/Commissioner reserves the right to hold a hearing and/or make a judicial decision, regardless of if the subject attends the hearing

*BOPCA specifically; The Judiciary Panel must communicate the decision orally at the conclusion of the hearing and must deliver a written decision with full reasons for the decision within 48 hours of the decision being orally communicated.*

## Register of Misdemeanours and Penalties

Without limiting the generality of the term’s misdemeanours and unacceptable behaviour, CA will use guidelines to impose penalties for matters regarding conduct of players.

CA will hold a confidential three-year record of all sanctions and associated detail across both clubs and players, to ensure consistency of sanction application long term.

## Penalty Details and Guideline

CA and/or DA Boards reserves the right to enforce DA, NDCA and/or NZC’s Code of Conduct and Spirit of the Game policies, if and as needed.

Where a player/team has been found guilty of a breach of the code, the judiciary may impose any penalty as aligned within ‘penalty guidelines’ which include the ability to impose a single sanction or combined sanctions across any of the three main headings, for any one breach:

- Participation suspension of a player, team or club in matches for a length of time.
- Forfeiture of points (whether for the match in question or otherwise).
- Monetary fine to the club.

If any player is found to breach the code more than once, the judiciary must impose a penalty in a higher category than that imposed for the first offence.

For consistency, a guideline of sanctions has been developed to cover individual, team and club/school penalties based on a first occurrence.

An individual may receive a suspension, or a suspended sentence. A suspended sentence is a sanction which is imposed as a result of a judiciary process but the implementation of the sanction is delayed in order to allow the defendant to perform a period of probation. Suspension is intended to have increasing effect through Levels 2, 3, and 4 breaches. For a level 1 offence, the indicative penalty is a written censure and/or a suspension.

If two suspensions occur within a team during a season, then the captain of that team will be stood down for one game.

Suspension may be for a set number of matches or definite period and shall take effect immediately following the decision to suspend and shall apply to any fixtures under the control of the DA, including DA representative fixtures. Suspensions at DA level shall not apply to first class levels.

An adult who is suspended for abuse towards a player which is 18 years of age or younger will automatically result in a deduction of points as well as any other penalty which might be imposed.

Monetary fines must be paid to the relevant DA Board within 31 days of receipt of written communication from Competition Administration.

Should a club fail to comply with a monetary fine and/or the deadline, the fine will remain at the initial amount but the team from which the judiciary complaint was received shall receive a point deduction of up to 6 points, within the competition that the sanction was received.

For any team receives a sanction inclusive of forfeiture of points, the points shall be deducted with immediate effect. Deduction of points for the team of which the cited/coded player is a member together with a penalty on the team captain. Points can be deducted as follows:

- i. A second citing/coding for a player in the same season will result in two points deducted.
- ii. Suspension: four points deducted
- iii. Second suspension: eight points deducted

PENALTY	LEVEL	MINIMUM SANCTION	MAXIMUM SANCTION
<b>MATCH BAN (PLAYER/TEAM)</b>	LEVEL 1	Written Censure	Suspended sentence for no more than twelve months
	LEVEL 2	One week suspension	Six week suspension
	LEVEL 3	Four week suspension	Twelve month suspension
	LEVEL 4	One year suspension	Life Ban
<b>FORFEITURE OF POINTS</b>	LEVEL 1	Written Censure	1 Point
	LEVEL 2	3 Points	6 Points
	LEVEL 3	6 Points	9 Points
	LEVEL 4	8 points	All competition points
<b>MONETARY FINE</b>	LEVEL 1	Not Applicable	
	LEVEL 2		
	LEVEL 3	\$50	\$150
	LEVEL 4	\$200	\$500

## Eligibility to Lodge a Report

The following persons may submit a written report if they are present at the time of alleged incident and have observed an alleged breach of the code:

- Official (Umpire or Scorer) or Player Umpires
- NDCA staff and MA/DA Board
- Team coach/managers (officially appointed) or team members.
- Any official match observer/Referee if appointed
- Council entities/representatives
- Parents/Guardian of a player under 18 years old

## Report Submission

2. All Judiciary complaints/disputes must be submitted to CA within 48 hours of the incident. (NCA specific: must be submitted by 9am Tuesday following the incident).

Where any person with 'Eligibility to lodge a Report' wishes to allege a breach under 'Rules of the Code', the CA is to be informed at the earliest opportunity and complete a Judiciary Submission Form no later than 48-hours after the end of the match in which the alleged incident occurred.

*\*\*NCA Specific: Before 9:00am on Tuesday following the incident in NCA.*

To submit a Judiciary complaint/report, please scan the QR code as below or see link; Judiciary Submission Form . Alternatively log into a DA website to access the form.



## Judiciary Determination

Mitigating and aggravating circumstances will be brought to account in determining the Level and the penalty.

Mitigating circumstances may include, without limitation, contrition, apology, good record and the circumstances in which the breach occurred.

Aggravating circumstances may include, without limitation, the fact that a Player and/or Team Official, Supporter/s and Spectator/s is a repeat offender, refusal to acknowledge a breach or ignoring the umpires warning.

## Judiciary Process and Timeline

CA will aim to complete and communicate all judiciary processes (Level 1-4) within six days of the incident.

This will allow any resulting decision from the complaint/dispute to be communicated and effected before the next day of play (generally deemed as one week).

For a player which has received an alleged breach of the code, if the next day of play within a grade is less than seven days away, the judiciary process may be brought forward (if possible), to provide an outcome in advance of the next play.

Clubs/schools can best support the pace for which a decision can be made by providing a complaint/written allegation as soon as possible.

Ability to adhere to this process depends on the timing for which the club/school submits the [Judiciary Submission Form](#), or the availability of the CA, Judicial Panel or Judicial Commissioner

Due to the nature of volunteer Judiciary panels, in certain instances CA may not be able to meet the six-day deadline.

The Judiciary process and timeline is outlined for alleged levels of breaches:

**Level 1-2:** Determined and communicated by CA in accordance with sanction guidelines.

**Level 3-4:** Determined by appointed Judiciary panel/commissioner (communicated by CA) which:

- Will hear and decide on the report in a manner which accords with the principles of natural justice and which best ensures a fair and prompt determination of the alleged breach of the code.

- Provide reasons in writing for its decision and immediately deliver the decision to the CA for further communication to the players/school/clubs.
- Communicate any decision to the player/s and club/s concerned and the initiator of the report as per timeline outlined below.

## Judiciary Timeline and Process (including Submission)

For further information and detail, please see the regional 'Code of Conduct and Judicial Process', available at the request from Competition Administration.

It is important that teams in all grades maintain playing standards. These standards exist to ensure high quality and enjoyment of the game for all players and supporters.

For any dispute or complaint received any individual, club, umpire, match official or any other interested party concerning these By-laws or the Code of Conduct (for NCA see 15.9.3) on a Saturday or Sunday match, the procedure is as follows (for all midweek matches all disputes must be submitted within 48 hours of the event):

3.

Day	Time	Detail
Monday  following any match from the immediate weekend round (either Saturday or Sunday)	Before 12:00pm	<ul style="list-style-type: none"> <li>The dispute or complaint shall be emailed to the CA. The submission must include alleged detail and alleged rule breach.</li> </ul>
	Before 5:00pm	<ul style="list-style-type: none"> <li>CA shall immediately identify and communicate a copy of the dispute or complaint to the 'other parties' (both individual/s and club/s), including which rules have been allegedly breached.</li> <li>Where official umpires were appointed to the fixture, umpires response will be sought and recorded. <i>Player umpire response will not be sought.</i></li> <li>CA shall inform the necessary parties as delegated by the DA Board of the total number of disputes/complaints received from the weekend and the total number of Level 4 allegations. All Level 4 allegations if disputed must be offered a judiciary hearing to be held within 72 hours (<i>Please note if no disputes/complaints are received, then no communication will be actioned</i>).</li> </ul>
Wednesday	Before 04:00pm	<ul style="list-style-type: none"> <li>'Other parties' shall have the right to reply in writing to the CA</li> <li>DA Board appoint adjudicators to each Level 4 dispute/complaint, which may impose any penalty as deemed appropriate including debarring a player, team or club from participating in matches conducted by the DA Board for any length of time, forfeiture of points whether for the match in question or otherwise, or a monetary fine.</li> </ul>
	Before 05:00pm	<ul style="list-style-type: none"> <li>CA will communicate to the DA Boards or relevant judiciary parties all Level 1-2 decisions and sanctions.</li> <li>CA will communicate to the Judiciary panel all full reports for Level 3-4 adjudication, inclusive of 'Party 1 &amp; Party 2' as well as official umpire responses.</li> <li>CA will communicate to all parties involved with a Level 4 allegation the time and venue of the Judiciary hearing. The Judiciary will determine who will attend the hearing and may additionally request attendance of               <ul style="list-style-type: none"> <li>the initiator of the report</li> <li>an official club representative (preferably an observer of the incident)</li> <li>the player/s reported</li> <li>any other persons thought fit to preserve the course of a fair and just hearing.</li> </ul> </li> </ul>
Thursday		<ul style="list-style-type: none"> <li>All judiciary hearings will be complete and any resulting rule breaches and imposed sanction agreed.</li> </ul>
Friday	Before 11:00am	<ul style="list-style-type: none"> <li>Level 4: Adjudicators will inform CA of the final decision and confirm any sanction to be imposed. There shall be no right of appeal.</li> </ul>
	Before 01:00pm	<ul style="list-style-type: none"> <li>CA will formally communicate the agreed decision within 24 hours (which may or may not include a sanction) to the necessary parties involved in the dispute/complaint. Only the immediate parties of the dispute/complaint will be informed, no other additional parties.</li> </ul>

NCA Specific Judicial Process:

1. *NCA receive a complaint: The complaint must be delivered to the NCA General Manager (GM), or the acting GM, by 9am on Tuesday. If it is not received on time, it is dismissed.*
2. *GM will call the Judicial Commissioner (JC) after receiving any complaint. GM endeavours to do this before the end of business on the day the complaint arrives, if possible.*
3. *JC will instruct GM to then:*
  - a. *Pass on the initial complaint to JC, via email.*
  - b. *Contact the umpires – this is usually done immediately after GM has discussed the complaint with JC. If JC doesn't answer GM call or is delayed in returning GM call, GM will contact the umpires and discuss what has allegedly happened.*
  - c. *Send the complaint, in its entirety, to the club and person, the complaint involves.*
  - d. *Ask for the person and club to officially respond to the complaint in writing (all communication is sent to GM).*
  - e. *Send that player/club response to JC, when GM receives it.*
4. *GM then contacts the umpires and discusses the alleged incident.*
5. *GM asks for the umpire(s) to send GM an official report on the alleged incident – GM asks for that to be sent to GM by the next day and it must be in writing.*
6. *GM passes on that report to JC via email.*
7. *JC will instruct GM to pass the umpires report on to the club and person who the complaint involves.*
8. *JC then decides whether it's worthy of their involvement – deciding on whether it's a judicial matter for JC to deal with.*
9. *JC will let GM know and instruct GM to pass on the following:*
  - a. *Whether there is to be hearing – ideally, it's in the same week as the complaint, but it's not always possible.*
  - b. *If there is a hearing, GM will forward the time, date, venue and who can/will attend (they are club representatives and the player, the umpire(s), JC and an NCA representative).*
  - c. *Contact all relevant people and ask for attendance – GM does this via email and/or phone, but GM always confirms in writing.*
  - d. *Send back the player/club response to the umpires so they can make final comments before the hearing. GM passes those on to JC.*
  - e. *Pass on, via email, all relevant information to the NCA representative before the meeting.*
  - f. *If there is no hearing, GM will be instructed by JC to take a suitable course of action – phone calls, emails, letters etc.*
10. *GM then contacts NCA and/or other relevant staff to make sure rooms/bookings are confirmed for a hearing process.*
11. *Wait for JC to respond regarding decision. GM will call JC if it takes more than 24 hours.*
12. *JC then instructs GM to pass on official findings, via email, to the player, club, umpires and complainant.*

CA will ensure that a full record of judiciary details is maintained for a minimum of three years including; full details of the report, the hearing procedures adopted, the decision and reasons.

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## Player Conduct Offences and Rules (Level 1-4, A-G)

- Please note that examples are provided as guidelines and are not all-inclusive of breaches which could be attributed to that specific Level.

CRITERIA CATEGORIES	LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4
Abuse of cricket equipment or clothing, ground equipment, fixtures and fittings.	<ul style="list-style-type: none"> <li>Hitting/Kicking wickets</li> <li>Actions that results in damage to boundary fences or facilities, dressing room doors, mirrors etc.</li> </ul>	<ul style="list-style-type: none"> <li>Throw a ball or other object at/near a player, team official, or Umpire in an aggressive or dangerous manner during a match.</li> </ul>		
Showing dissent at an Umpires decision during a match, including obvious disappointment with, or challenge to and Umpire's decision.	<ul style="list-style-type: none"> <li>Obvious disappointment with, or challenge to, an umpire's decision</li> <li>An obvious delay in play, or leaving the wicket</li> <li>Shaking the head to indicate challenge to the decision</li> <li>Pointing or looking at the inside edge when given out LBW</li> <li>Pointing to the pad or rubbing the shoulder or giving any other indication the decision is challenged when caught behind</li> <li>Snatching the head wear/garment from the umpire whether in petulance or as a challenge to the umpire's decision</li> <li>Requesting a referral to the TV umpire</li> <li>Entering into any debate with the Umpire about his decision</li> </ul>	<ul style="list-style-type: none"> <li>Show 'serious' public criticism at an Umpire's decision, irrespective of when such criticism or inappropriate comment is made. <i>Dissent as listed in Level 1 will be classified at 'serious' when the conduct contains an element of anger, abuse or challenge which is directed at the Umpire.</i></li> <li>Charge/advance toward or challenge, the Umpire in an aggressive manner when appealing during a match</li> </ul>	<ul style="list-style-type: none"> <li>Intimidation of an Umpire by language or conduct during a match (includes appealing in an aggressive manner which has, or may have, the effect of influencing the Umpire)</li> </ul>	<ul style="list-style-type: none"> <li>Threat or assault on an Umpire or match official</li> </ul>
Using language or a gesture that is obscene, offensive, or insulting during a match.	<ul style="list-style-type: none"> <li>Loud or repetitious swearing</li> <li>Obscene gestures or conduct which is directed at another person</li> <li>Obscene gestures/conduct which is not directed at another person, eg. swearing at ones own play/fortune.</li> </ul>	<ul style="list-style-type: none"> <li>Using language or gesture(s) that is/are seriously obscene, seriously offensive, or of a seriously insulting nature to another player, team official or Umpire.</li> </ul>	<ul style="list-style-type: none"> <li>Threat of assault on any player, team official, or any other person (including a spectator) during a match</li> </ul>	<ul style="list-style-type: none"> <li>A player or team official using any language or gesture (s) that offend, insult, or vilify another person on the basis of that person's race, religion, sexuality, gender, colour, descent or origin.</li> </ul>
Excessive appealing during a match.	<ul style="list-style-type: none"> <li>Repeated appeal</li> <li>Public criticism or inappropriate comment</li> </ul>			

	<ul style="list-style-type: none"> <li>• Celebrate before umpire decision</li> </ul>			
<b>Excessive behaviour on field</b>	<ul style="list-style-type: none"> <li>• Point or gesture towards the pavilion by a player at the dismissal of a batter</li> <li>• Give the batter a 'send off'</li> </ul>	<ul style="list-style-type: none"> <li>• Deliberate obstruction in the field</li> </ul>	<ul style="list-style-type: none"> <li>• Inappropriate and deliberate physical contact between players</li> </ul>	<ul style="list-style-type: none"> <li>• Physical assault of player or any person (including spectator)</li> </ul>
<b>Any other conduct that brings the game into disrepute or is contrary to the 'spirit of the game'.</b>	<ul style="list-style-type: none"> <li>• Changing the condition of match ball</li> <li>• Deliberate attempt to distract striker</li> <li>• Dangerous or unfair bowling</li> <li>• Bowler running on protected area after warning</li> <li>• Failure by team captain to ensure the team is punctual to start any session and change of innings.</li> <li>• Time wasting by the batting or fielding team</li> <li>• Batter or fielder damaging the pitch intentionally</li> </ul>	<ul style="list-style-type: none"> <li>• Failure by a fielding team to meet the minimum over rate requirements contains in rules</li> <li>• Deliberate ball tampering in breach of law 42.3 of cricket, eg;</li> <li>• Deliberately throw into the ground for purposes of roughening</li> <li>• Application of any artificial substance</li> <li>• Lifting or otherwise interfering with any of the seams</li> <li>• Scratching the surface with finger or thumb nails or any implement</li> <li>• Attempt to alter the shape</li> </ul>	<ul style="list-style-type: none"> <li>• Where the facts of the alleged incident are not clearly covered by any of the above offences, any conduct that is contrary to the spirit of the game/brings the game into disrepute</li> </ul>	<ul style="list-style-type: none"> <li>• Any act of violence on the field of play during a match</li> <li>• Where the facts of the alleged incident are not adequately or clearly covered by any of the above offences, conduct that either is contrary to the spirit of the game or brings the game into disrepute.</li> </ul>
<b>Other</b>	<ul style="list-style-type: none"> <li>• Any other aspect of 'unfair play'</li> </ul>	<ul style="list-style-type: none"> <li>• All other serious conduct which is contrary to the spirit of the game or brings the game into disrepute</li> </ul>		