



RECREATIONAL CONDUCT REGULATIONS 2023

ENGLAND AND WALES CRICKET BOARD RECREATIONAL CONDUCT REGULATIONS

Introduction

In 2022, the ECB introduced the General Conduct Regulations (the “GCR”) to set consistent standards of conduct and behaviour and provide a single set of regulations which can be applied consistently at the top end of recreational cricket. The GCR contain detailed disciplinary processes which are designed to ensure that disciplinary matters are dealt with in a fair, efficient and consistent manner by cricket organisations and provide assistance to cricket organisations when establishing and running their disciplinary processes. It is to the benefit of cricket as a whole that broadly the same process and sanctions will apply to a participant who is participating in cricket at the same level of the game, whether they are based in the North East or the South West. Conducting a fair and transparent disciplinary process will also help to protect cricket organisations from legal or reputational damage.

The GCR are currently applicable to County Cricket Boards, National Counties, ECB Premier Leagues and any other cricket organisation which has voluntarily adopted the GCR and the ECB did consider applying the GCR more widely within the recreational game for the 2023 season. However, the ECB has reflected on the feedback it has received in respect of the GCR, both by cricket organisations that adopted the GCR for the 2022 season and cricket organisations who have not yet adopted the GCR. On the basis of that feedback, the GCR will not be applied more widely within the recreational game for the 2023 season and instead these Recreational Conduct Regulations (the “**RCR**”) shall be applicable to all leagues within recreational cricket (and within the jurisdiction of the ECB) which are not covered by the GCR (the “**Relevant Cricket Leagues**”).

The RCR mirror the GCR as follows:

1. The RCR cover both on-field offences and off-field offences (such as inappropriate comments on social media). As cricket organisations will be well aware, there has been (and will no doubt continue to be) an increase in cases involving off-field offences.
2. The RCR also contain sanction guidelines, which will ensure there is more consistency across recreational cricket.

However, the main difference between the GCR and the RCR is that the RCR contain simpler procedural requirements to be applied to disciplinary cases than the GCR (albeit that the procedural requirements in both the GCR and these RCR are based on the same principles). As the administration of the vast majority of recreational cricket which is not covered by the GCR is carried out exclusively by volunteers, Relevant Cricket Leagues do not necessarily have the scale of systems and processes in place to implement the GCR in full (for example, at some levels official umpires are not typically appointed to fixtures (with matches instead being officiated by club or player umpires)). As such, the ECB did not feel that the detailed procedural requirements of the GCR were feasible for the 2023 season. However, the ECB will continue to consider and keep under review whether to either roll out the GCR more widely in the recreational game or implement a single set of regulations which apply throughout the recreational game going forwards.

SUMMARY

1. Relevant Cricket Leagues must adopt the RCR for the 2023 season.
2. Disciplinary processes conducted by Relevant Cricket Leagues must comply with the procedural requirements for disciplinary cases, which are set out in Regulations 13 and 14. However, Relevant Cricket Leagues can supplement these principles with more detailed provisions if they so wish, provided those provisions are consistent with the procedural requirements set out in these RCR.
3. Cricketers will be subject to on-field conduct obligations mirroring the Laws of Cricket and other participants present at matches (e.g. coaches, officials and representatives of other cricket organisations acting in an official capacity at the match) will be subject to more limited on-field conduct obligations (as is the case in the professional game).
4. Participants will be subject to off-field conduct obligations which either relate to their participation in recreational cricket or occur outside their direct participation but are of a sufficiently serious nature to justify disciplinary action being taken in relation to recreational cricket (e.g. discriminatory comments being made on social media). There is reduced scope for bringing disciplinary action against representatives of cricket organisations, as opposed to cricketers, coaches and officials, given the role they play within cricket.
5. Relevant Cricket Leagues shall appoint an individual or group of individuals to take responsibility for any disciplinary matters and appeals arising in relation to cricketers or clubs participating in the Relevant Cricket League.

DEFINITIONS

Appeal Body – means the body appointed by a Relevant Cricket League under Regulation 13 which is responsible for dealing with appeals.

Club – means a club which participates in a Relevant Cricket League.

Club Official – means any official of a Club, as listed on their website or official Club documentation, acting in an official capacity at a match.

County Cricket Board – means a body designated as a County Cricket Board or County Club by the ECB which is responsible for the organisation of recreational cricketing activity and the development of cricket generally within a county and such other areas (if any) as may be agreed by the ECB.

ECB – means the England and Wales Cricket Board.

ECB's Anti-Discrimination Code – means the ECB's anti-discrimination code in force from time to time which can be found on the following ECB webpage, along with guidance on the ECB's Anti-Discrimination Code: <https://www.ecb.co.uk/about/policies-and-regulations/regulations/non-first-class-county>.

Effective Date – means 1 March 2023.

Disciplinary Officer – means an individual (who may be one of a group of individuals) appointed by a Relevant Cricket League to have responsibility for the disciplinary process under these Regulations when that Relevant Cricket League is acting as the Relevant Disciplinary Body and/or Appeal Body.

GCR – means the ECB's General Conduct Regulations in force from time to time.

Off-Field Breach – means an alleged breach of Regulations 8-9.

On-Field Breach – means an alleged breach of Regulations 3-5.

Participants – means all individuals who are under the jurisdiction of a Relevant Cricket League, including:

- (a) cricketers;
- (b) volunteers, officers, employees, contractors, and members of any Relevant Cricket Organisation;
- (c) match officials;
- (d) coaches; and
- (e) any other person under the jurisdiction of any Relevant Cricket Organisation.

Recreational Cricket – means all cricket activities carried out under the jurisdiction of the ECB which are not carried out by: (i) the England Men's or England Women's teams; (ii) a First-Class County in relation to men's professional cricket; (iii) a Regional Host; or (iv) any Hundred Team.

Relevant Cricket Leagues – means all leagues within Recreational Cricket (and within the jurisdiction of the ECB) which are not covered by the GCR.

Relevant Criminal Offence – means any offence against a child, any sexual offence, any violent offence, any drug offence, any public order offence, any offence with an aggravated element, any offence of cruelty against animals and any offence relating to integrity.

Relevant Disciplinary Body – means the body appointed by a Relevant Cricket League under Regulation 12 who is responsible for conducting disciplinary processes.

SCOPE AND APPLICATION

1. From the Effective Date:

- (a) all Relevant Cricket Leagues are bound by and must familiarise themselves with the requirements of these RCR;
- (b) all Participants must comply with the disciplinary process set out in these RCR in respect of any alleged breach of these RCR by the Participant;
- (c) all Relevant Cricket Leagues must adopt these RCR and implement the requirements of these RCR in respect of the disciplinary processes they carry out;
- (d) (a) all Relevant Cricket Leagues shall appoint an individual or group of individuals to take responsibility for any disciplinary matters and appeals arising in relation to cricketers or clubs participating in the Relevant Cricket League; and
- (e) all Relevant Cricket Leagues must provide the ECB with any details requested in relation to any disciplinary matters it has carried out in accordance with these RCR.

2. Any disciplinary sanctions imposed under these RCR will be separate to any sanctions imposed under a Participant's employment contract or any action taken in accordance with a Club, Relevant Cricket League or County Cricket Board's terms of membership.

CONDUCT OBLIGATIONS

On and around the field of play

3. Any cricketer shall be in breach of these RCR, 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. Such conduct which will result in a breach of these RCR shall include any misconduct of a cricketer 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; and/or
- (g) any other misconduct, the nature of which is, in the opinion of the umpires, equivalent to a Level 1 offence; or

LEVEL 2

- (h) showing serious dissent at an umpire's decision by word or action;
- (i) making inappropriate and deliberate physical contact with another cricketer;
- (j) throwing the ball at a cricketer, umpire or another person in an inappropriate and dangerous manner;
- (k) using language or gesture to another cricketer, umpire, team official or spectator that, in the circumstances, is obscene or of a seriously insulting nature; and/or
- (l) any other misconduct, the nature of which is, in the opinion of the umpires, equivalent to a Level 2 offence; or

LEVEL 3

- (m) intimidating an umpire by language or gesture; and/or
- (n) threatening to assault a cricketer or any other person except an umpire; or

LEVEL 4

- (o) threatening to assault an umpire;
- (p) making inappropriate and deliberate and/or dangerous physical contact with an umpire;
- (q) physically assaulting a cricketer or any other person; and/or
- (r) committing any other act of violence

4. A cricketer shall also be in breach of these RCR 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.

5. Any coach, match official or Club Official shall be in breach of these RCR if they fail to conduct themselves fairly and properly at 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 RCR shall include, but not be limited to: either to the umpire, in which case the umpire will make a Disciplinary Report, or to the Disciplinary Officer directly by way of Written Complaint (for example, if the On-Field Breach relates to a match official). If there is no umpire appointed to a particular match, individuals can report On-Field Breaches to a captain or Club Official who can then make a Disciplinary Report on their behalf.

- (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; and/or
- (f) acting in a manner contrary to the ECB's Anti-Discrimination Code.

CONDUCT OBLIGATIONS

Captain/Team responsibility

6. If any cricketer commits two or more breaches of Regulation 3 or 4 (Conduct obligations on and around the field of play), 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.
7. Clubs shall also be held responsible for disorderly behaviour at 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.

CONDUCT OBLIGATIONS

Off-field conduct

8. A Participant shall be in breach of these RCR 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's 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 or the ECB into disrepute;
 - (h) engaging in any corrupt conduct in relation to cricket, in particular:
 - (i) fixing the result, progress, conduct or any aspect of a match;
 - (ii) ensuring the occurrence of a particular incident in a match;
 - (iii) accepting a bribe to conduct the activities described in (a) or (b) above; or
 - (iv) receiving a custodial sentence for any of the activities described in (a)-(c) or
 - (v) failing to comply with any decisions or sanctions validly imposed on them following due process as prescribed by these RCR.

9. 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 their Participants for any breach of these Regulations; and/or
- (b) knowingly permits a cricketer, who is suspended as a result 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 on any person within the organisation, which has arisen following due process as prescribed by these Regulations.

PROCESS

10. Umpires shall report any On-Field Breaches or Off-Field Breaches which occur on or around the field of play to the Relevant Cricket League, irrespective of any action the umpire may have taken on the field of play.

11. Other individuals can also report On-Field Breaches or Off-Field Breaches:

- (a) to the umpire, in which case the umpire shall report it to the Relevant Cricket League;
- (b) to a captain or Club Official, if there is no umpire appointed to a particular match, who shall report it to the Relevant Cricket League; or
- (c) to the Relevant Cricket League directly.

12. A Relevant Disciplinary Body may become aware of, and may consider, a potential or alleged breach of these Regulations without an umpire or an independent individual having reported the matter to the Relevant Disciplinary Body.

13. Relevant Cricket Leagues must ensure that any disciplinary processes conducted under these RCR comply with the following requirements:

- (a) Relevant Cricket Leagues shall appoint a Disciplinary Officer (or Disciplinary Officers) in respect of each case.
- (b) The Disciplinary Officer shall decide whether to charge the relevant Participant with a breach of these RCR, having conducted any further investigation they consider necessary.
- (c) The Participant who has been charged shall be informed what breach they are being charged with and given the opportunity to respond to the charge.
- (d) The Disciplinary Officer shall appoint an individual (or group of individuals) to consider the charge (i) on the basis of the written evidence only or (ii) at a hearing. In either case, the following principles must be complied with:
 - (i) The Participant shall be informed who will be making the decision and given the opportunity to object to their appointment on the basis of any conflict of interest.
 - (ii) If the charge will be considered at a hearing, the Participant shall be given the opportunity to attend and make representations to the decision-maker(s).
 - (iii) The decision-maker(s) may seek further information about the charge from the Participant or the Disciplinary Officer (or any other third party they deem necessary, including the umpire or reporting party) before making a decision.
 - (iv) In exceptional cases, the decision-maker(s) may suspend a Participant from participating in cricket until the case has been considered. Before doing so, the decision-maker(s) will consider whether that is appropriate in the circumstances of the case (including the seriousness of the alleged breach and whether the Participant is contesting the charge).

- (v) The decision-maker(s) will consider the charge and determine whether, on the balance of probabilities, there has been a breach of these RCR. A decision made by a group of individuals shall be made on the basis of a majority vote.
- (vi) If there has been a breach of these RCR, the decision-maker(s) will impose a sanction in accordance with the sanction guidelines which appear in Appendix 1.
- (vii) The decision, including any sanction, shall be clearly communicated to the Participant and the Participant's Club as soon as reasonably possible.

14. The Participant shall have the opportunity to appeal any decision. Relevant Cricket Leagues must ensure that any appeal processes conducted under these RCR comply with the following requirements:

- (a) Decisions may only be appealed on one of the following grounds:
 - (i) the decision-maker(s) came to a decision to which no reasonable body could have come;
 - (ii) there was a serious procedural irregularity, which includes the decision-maker(s) not following the principles set out in Regulation 13, which significantly impacted the Participant's rights and caused the decision to be unjust;
 - (iii) there is fresh evidence which could not be presented before the decision was made but is material to the decision; and/or
 - (iv) the sanction imposed was manifestly excessive.
- (b) The Disciplinary Officer shall appoint an individual (or group of individuals) to consider the appeal (i) on the basis of the written evidence only or (ii) at a hearing. No individual who has previously been involved with the case shall be appointed to consider the appeal.
- (c) The process for the appeal shall comply with RCR 13(d)(i)-(iv).
- (d) The decision-maker(s) shall consider the appeal and determine whether, on the balance of probabilities, the appeal shall be allowed (in whole or in part). A decision made by a group of individuals shall be made on the basis of a majority vote.
- (e) If the appeal is allowed, the decision-maker(s) shall decide whether to disapply the sanction previously imposed or issue a new sanction in accordance with the sanctions guidelines which appear in Appendix 1.
- (f) The decision, including any sanction, shall be clearly communicated to the Participant and the Participant's Club as soon as reasonably possible.
- (g) Any decision in respect of appeal is final and binding and there is no further right of appeal.

MISCELLANEOUS

- 15. Relevant Cricket Leagues must immediately recognise, give effect to and fully enforce any penalties which have been imposed under these RCR or the GCR and which they have been notified about.
- 16. If the Relevant Cricket League is aware that a Participant participates in multiple leagues or competitions, the Disciplinary Officer must communicate any sanction imposed under these RCR to the relevant competition organiser(s).
- 17. Relevant Cricket Leagues must maintain a record of all disciplinary decisions and, where applicable, sanctions imposed.

APPENDIX 1

Sanction Guidelines

1. The table below sets out recommended sanctions to be applied on Participants in respect of On-Field Breaches. However, the decision-maker(s) shall not be limited to imposing the recommended sanctions and can impose greater or lesser sanctions as appropriate in the circumstances of the particular case.
2. Unless the decision-maker(s) stipulate otherwise, bans shall apply to all cricket, be effective immediately and, for the purpose of totting up the number of breaches within a specified period, shall remain on the Participant's record for 24 calendar months from the date of the breach.

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 match ban	2 match ban	3 match ban
Level 2	2 match ban	4 match ban	12 match ban
Level 3	6 match ban	12 match ban	24 match ban
Level 4	10 match ban	20 match ban	40 match ban

3. If decision-maker(s) prefer, they can stipulate that bans cover:
 - (a) A specific time period, e.g. one week; and/or
 - (b) A specific number of days of cricket.
4. The decision-maker(s) shall take into account all aggravating and mitigating factors when determining the appropriate sanction. The decision-maker(s) shall determine whether, and to what extent, to depart from the standard sanctions and/or to impose additional or lesser penalties as they deem fit, including (but not limited to) the following, which may be suspended (in full or in part):
 - (a) Caution or reprimand
 - (b) Letter of apology
 - (c) Fine of no more than £500
 - (d) Ban of a period of matches or weeks
 - (e) Expulsion of the cricketer from a Relevant Cricket League or competition

5. The decision-maker(s) shall give consideration to 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 commission of the offence 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 RCR.

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) Co-operation with the Disciplinary Officer and/or Relevant Cricket League.
- (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.