



# **TRAINING SLIDES**

## GENERAL CONDUCT REGULATIONS

FEBRUARY 2023

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## CONTENT OF THIS TRAINING

- Decisions and next steps for cricket organisations
- Scope of the GCR
- Roles and responsibilities of key individuals and bodies in the disciplinary process
- Sanctions
- Data protection
- Case Studies
- FAQs
- Changes to the GCR from the 2022 version

## DECISION MAKING

- Who will act as Relevant Disciplinary Body and Appeal Body (if responsibility is being delegated).
- Whether to adopt the Summary Procedure, and if so for what type of offences.
- Whether to supplement the version of the GCR your cricket organisation adopts with any other specific offences.
- How best to communicate final GCR adopted to clubs/participants.

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## SCOPE OF THE GCR

1. Only applicable to recreational cricket.
2. Mandatory adoption for CCBs, National Counties and Premier Leagues, with other cricket organisations encouraged to apply the GCR or the RCR.
3. Relevant cricket organisations may amend and/or supplement certain of the provisions (indicated by underline).
4. The ECB will be the relevant cricket organisation and have jurisdiction in respect of on-field issues at ECB-run competitions.
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## SCOPE OF THE GCR – continued

Conduct covered includes:

### On-field offences:

- For cricketers, in line with level 1 to level 4 offences in the Laws of Cricket, as well as breaching the Anti-Discrimination Code or acting in a manner to bring the game into disrepute.
- For coaches and officials, relating to physical or verbal abuse to other participants and/or umpires.
- For captains and/or clubs, holding them responsible for the actions of their team members.

### Off-field offences:

- For cricketers and other participants, such as breaching the Anti-Discrimination Code, acting in a manner to bring the game into disrepute or engaging in corrupt conduct.
- For clubs/leagues, by failing to comply with their responsibilities in relation to their participants or breaching their obligations in relation to the Anti-Discrimination Code.

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## **ROLES AND RESPONSIBILITIES – Umpire**

1. Complete Disciplinary Report following match.
2. Submit completed Disciplinary Report to the Relevant Disciplinary Body.

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## **ROLES AND RESPONSIBILITIES** – Disciplinary Officer

1. Receives Referral.
2. Inform ECB if professional cricketer ([integrity@ecb.co.uk](mailto:integrity@ecb.co.uk)).
3. Conduct any further investigation necessary.
4. If sufficient evidence to charge, consider whether to use Summary Procedure, in which case refer this to the Adjudicator to determine or refer for a Hearing.
5. If Summary Procedure recommended, appoint an Adjudicator and send Charge Letter.
6. If Hearing, appoint Disciplinary Panel and Chair, arrange Hearing and send Charge Letter.
7. Keep record of any sanction imposed for 24 months and communicate to relevant leagues.

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## **ROLES AND RESPONSIBILITIES** – Adjudicator (for Summary Procedure)

1. Receive Charge Letter from Disciplinary Officer.
2. Determine if the matter should be dealt with under the Summary Procedure, if not refer it to be determined by the Disciplinary Panel at a Hearing.
3. Set a reasonable timeframe for response to Charge Letter.
4. Consider any response submitted.
5. Determine on balance of probabilities whether a breach has occurred.
6. If a breach has occurred, impose a sanction in accordance with the Sanction Guidelines (Appendix 3 of the GCR).
7. Communicate the decision to the Respondent in writing.

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## **ROLES AND RESPONSIBILITIES** – Disciplinary Panel and Disciplinary Panel Chair (for Hearing)

1. DPC to consider Charge Letter and set directions for response.
2. DPC to determine how the Hearing should proceed.
3. Panel to consider evidence.
4. Panel to determine whether a breach has occurred (on balance of probabilities).
5. If so, Panel to impose a sanction (Appendix 3).
6. DPC to communicate the decision to the Respondent immediately (where possible) and follow up in writing.

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## **ROLES AND RESPONSIBILITIES** – Appeal Panel and Appeal Panel Chair (for Appeal)

1. APC to consider Notice of Appeal and set directions for response.
2. APC to determine how the Hearing should proceed.
3. Panel to consider evidence.
4. Panel to determine whether the appeal should be upheld and the sanction should be disapplied or a new sanction imposed.
5. Panel to consider costs order.
6. APC to communicate the decision to the Appellant verbally at end of Appeal Hearing and confirm in writing.

## ROLES AND RESPONSIBILITIES

1. The recommended sanctions for offences are set out below

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	18 match ban
Level 4	10 match ban	20 match ban	36 match ban

2. Adjudicators/Panels can depart from these sanctions or impose additional sanctions based on the aggravating and mitigating factors in the case.
3. Unless stipulated otherwise, bans shall apply to all cricket, be effective immediately and remain on the Participant's record for 24 calendar months from the date of the breach.

## DATA PROTECTION

- All cricket organisations must comply with data protection law when processing personal data.
- Data protection law requires you to provide a privacy notice to every individual whose personal data is being processed (within a reasonable period following receipt of the data and, in any event, within one month).
- A template privacy notice is included at Appendix 5 of the GCR, which can be adopted and amended as appropriate by cricket organisations.
- The privacy notice should refer to the GCR to ensure compliance with transparency obligations in data protection law when collecting, processing and/or sharing personal data as a result of handling disciplinary matters.
- Independent legal advice should be sought where possible.

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## CASE STUDY A

- In relation to an ECB Premier League match between Club A and Club B:
  - Club A allege that a player from Club B was personally offensive to a number of their players.
  - Club A allege that spectators supporting Club B were verbally racially abusive towards players from Club A.
  - Club A allege that a member of Club B who was not playing on that day was racially abusive online towards players from Club A during live streaming of the match.
- What happens next?
  - Who would be charged and what charges would be issued?
  - Would these charges be appropriate for the Summary Procedure?
  - Would these charges be appropriate for determination by way of written submissions?
  - What evidence might be necessary?
  - What sanctions should be imposed?

## CASE STUDY B

- In relation to a third Division match between Club C and Club D using player umpires.
- Umpire from Club D alleges that a player from Club C has physically pushed a player from Club.
- What happens next?
  - Who would be charged and what charges would be issued?
  - Would these charges be appropriate for the Summary Procedure?
  - Would these charges be appropriate for determination by way of written submissions?
  - What evidence might be necessary?
  - What sanctions should be imposed?

## FAQ'S

- When issuing a Charge Letter is it necessary to include a full copy of the GCR, Privacy Notice and AD Code?
- What evidence should be listed in the Charge Letter?
- Does an appeal under the GCR conclude the matter or is there any further right to appeal?
- Can leagues continue their current practice of informing a club of the expected sanction against one of their players and only considering the case further if the club doesn't agree to ban the player?
- Independent legal advice should be sought where possible.

Further FAQs can be found [HERE](#).

## WHAT HAS CHANGED SINCE THE 2022 VERSION OF THE GCR?

- A breach of Law 41 has been clarified to be an on-field rather than off-field offence.
- A specific on-field offence has been introduced for a cricketer acting contrary to the ECB's Ant-Discrimination Code Regulation.
- A specific on-field offence has been introduced for a cricketer acting in a way which may bring the ECB, cricket or any cricketers into disrepute.
- A specific off-field offence has been introduced for a cricketer engaging in any corrupt conduct.
- The Disciplinary Chair has been renamed as the Adjudicator.
- The Adjudicator will have ultimate discretion as to whether a matter proceeds under the Summary Procedure.
- A specific on-field offence has been introduced for a cricketer acting in a way which may bring the ECB, cricket or any cricketers into disrepute.
- The grounds of appeal have been updated.
- The recommended sanctions for L2-L4 offences, for second and third breaches, have been increased.



**THANK YOU**

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