

# DUNFERMLINE & CARNEGIE CC CODE OF CONDUCT

Dunfermline & Carnegie CC are committed to maintaining the highest standards of behaviour and conduct.

This Code of Conduct incorporates the Spirit of Cricket, as set out below. It applies to all matches played, applies to cricket in general and to all matters on club premises when representing the club be it as player, official, guest or member of any description.

## **The Spirit of Cricket**

Cricket is a game that owes much of its unique appeal to the fact that it should be played not only within its Laws, but also within the Spirit of the Game. Any action which is seen to abuse this spirit causes injury to the game itself. The major responsibility for ensuring the spirit of fair play rests with the captains.

## **Responsibility of captains**

There are two laws which place the teams conduct firmly on the captain:

- The captains are responsible at all times for ensuring that play is conducted within the Spirit of the Game as well as within the Laws.
- In the event that any player failing to comply with instructions by an umpire, or criticising by word or action the decisions of an umpire, or 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, and instruct the latter to take action.

## **Fair and unfair play**

According to the Laws the umpires are the sole judges of fair and unfair play. The umpires may intervene at any time and it is the responsibility of the captain to take action where required.

The umpires are authorised to intervene in cases of:

- Time wasting
- Damaging the pitch
- Dangerous or unfair bowling
- Tampering with the ball
- Any other action that they consider to be unfair

The Spirit of the Game involves RESPECT for:

- Your opponents

- Your own captain and team
- The role of the umpires
- The game's traditional values

It is against the Spirit of the Game:

- To dispute an umpire's decision by word, action or gesture
- To direct abusive language towards an opponent or umpire
- To indulge in cheating or any sharp practice, for instance: (a) to appeal knowing that the batsman is not out (b) to advance towards an umpire in an aggressive manner when appealing (c) to seek to distract an opponent either verbally or by harassment with persistent clapping or unnecessary noise under the guise of enthusiasm and motivation of one's own side

Violence There is no place for any act of violence on the field of play

*Players Captains and umpires together set the tone for the conduct of a cricket match. Every player is expected to make an important contribution to this.*

Failure to comply with this paragraph may result in disciplinary action.

### **General club conduct**

All Members and Guests of Dunfermline & Carnegie Cricket Club will:

- As ambassadors to the club, maintain the highest level of behaviour and conduct while at any Dunfermline & Carnegie CC activity.
- Respect people of all ages, genders and race equally.
- Respect the rights, dignity and worth of every person within the context of cricket
- Refrain from discouragement when not playing.
- Be bound by the conduct set out in the players and junior section.

### **Player conduct**

- The captains are responsible at all times for ensuring that play is conducted within the Spirit of Cricket as well as within the Laws.
- Players and team officials must at all times accept the umpire's decision.
- Players must not show dissent at the umpire's decision or react in a provocative or disapproving manner towards an umpire at any time.
- Players and team officials shall not intimidate, assault or attempt to intimidate or assault an umpire, another player or a spectator.
- Players and team officials shall not use crude and/or abusive language nor make offensive gestures or hand signals nor deliberately distract an opponent.
- Players and team officials shall not make racially abusive comments nor indulge in racially abusive actions against fellow players, officials, members and supporters.
- Dunfermline & Carnegie CC operate an active open door membership policy whilst respecting player qualification regulations and welcome players/members irrespective of ethnic origin.
- Players and team officials shall not use or in any way be concerned in the use or distribution of illegal drugs.

- Dunfermline & Carnegie CC will take adequate steps to ensure the good behaviour of their members and supporters towards players and umpires.

**Code of Conduct With regard Junior players.**

For the clarification of this article, Junior players are classed as all members/guests of the club under the age of 18.

All Members and Guests of Dunfermline & Carnegie Cricket Club will:

- Respect the rights, dignity and worth of every person within the context of cricket
- Treat everyone equally and not discriminate on the grounds of age, gender, disability, race, ethnic origin, nationality, colour, parental or marital status, religious belief, class or social background, sexual preference or political belief
- Not condone, or allow to go unchallenged, any form of discrimination if witnessed • Display high standards of behaviour
- Promote the positive aspects of cricket, for example fair play
- Encourage all participants to learn the Laws and rules and play within them, always respecting the decisions of match officials
- Actively discourage unfair play, rule violations and arguing with match officials
- Recognise good performance not just match results
- Place the well-being and safety of children above the development of performance
- Ensure activities are appropriate for the age, maturity, experience and ability of the individual
- Respect children's opinions when making decisions about their participation in cricket
- Not smoke, drink alcohol or use banned substances while working with children in the club.
- Not smoke or drink alcohol around children on club premises with the exception of designated smoking or drinking areas.
- Not provide children with alcohol when they are under the care of the club
- Follow ECB guidelines set out in the "Safe Hands – Cricket's Policy for Safeguarding Children" and any other relevant guidelines issued
- Report any concerns in relation to a child, following reporting procedures laid down by the ECB
- \* Members and guests include all members and officers of the cricket club and all guests of those members and officers, as well as all individuals who watch/attend/participate/ officiate in matches hosted by the club in whatever capacity. In addition to the above, all club officers and appointed volunteers will:
  - Have been appropriately vetted, if required
  - Hold relevant qualifications and be covered by appropriate insurance
  - Always work in an open environment (i.e. avoid private, or unobserved, situations and encourage an open environment)
  - Inform players and parents of the requirements of cricket
  - Know and understand the ECB's "Safe Hands – Cricket's Policy for Safeguarding Children"
  - Ensure physical contact is appropriate and necessary and is carried out within recommended guidelines with the young player's full consent and approval
  - Not engage in any form of sexually related contact with a young player. This is strictly forbidden, as is sexual innuendo, flirting or inappropriate gestures and terms. Dunfermline & Carnegie CC

adopts the Home Office guidelines. These recommend “people in positions of trust and authority do not have sexual relationships with 16-17 year olds in their care”

- Attend appropriate training to keep up to date with their role, especially with respect to the safeguarding of children

## **Discipline Regulations and Guidelines**

### **Disciplinary Hearing**

- In any case which is referred for a Disciplinary Hearing, at least seven days’ notice in writing of the hearing and of the offence(s) alleged shall be given to the player, or individual(s) involved.
- The president of Dunfermline & Carnegie shall convene a hearing as soon as is practicable, and in any event within 21 days of the decision to refer.
- Any adjournments may be granted at the discretion of the chairman of the disciplinary hearing.
- The Player or individual shall be entitled to attend the hearing, state their case, to be supported by a colleague and to call witnesses.
- The hearing shall be conducted by a disciplinary panel as per Dunfermline and Carnegie constitution.

### **Penalties:**

- After the hearing, the disciplinary committee shall have the power to impose one or more of the following penalties, together with such orders as deemed appropriate.
- To require the person to submit an appropriate letter(s) of apology within a specific time frame.
- To record a reprimand and to give warning as to future conduct. \*\*\*
- To suspend from playing for one or more matches or for a sustained period of time.
- To suspend membership for a Period.
- If the conduct constitutes gross misconduct, the club shall have the power to terminate the player’s membership forthwith, without refund of monies.
- The club, for the same offence may if thought fit, impose one or more of these penalties.

\*\*\* Accumulation of warnings will result in a higher penalty to be decided by the disciplinary committee.

### **Guidelines on the conduct of hearings and appeals:**

The rules of natural justice are the minimum standards of fair decision making imposed on persons or bodies acting in a judicial capacity. The standard of proof shall be on the probabilities rather than the criminal standard of beyond reasonable doubt.

The rules of natural justice consist of the following elements:

- The right of a fair hearing
- The rules against bias.

*The right to a fair hearing*

The right to a fair hearing requires that an individual shall not be penalised by a decision affecting his/her rights or legitimate expectations unless he/she has been given prior notice of the case against them, and a fair opportunity to answer the case against them and to produce their own case.

The accused person should be given adequate notice of the allegations against them and of the procedure to be followed so that they may be in a position to make representation on his/her own behalf, to appear at the hearing, to prepare a case and to answer the case against them. The time and location of the hearing must be properly notified to the reported person.

The reported person has a right to attend the hearing and be allowed to present their own case. If the disciplinary panel is satisfied that the reported person has been given adequate notice of the alleged breach and of the time and location of the hearing, they may allow the hearing to proceed if the reported person fails to attend. However it may not be justifiable to proceed if the time or location for the hearing is such that the person cannot be reasonably expected to attend.

At least seven days' notice in writing of the hearing and of the alleged offence shall be given to the person accused.

#### *The rules against bias*

A person judging on a dispute must have no pecuniary or proprietary interest in the outcome of the proceedings and must not reasonably be suspected, or show real likelihood of bias. The rules against bias also provide that the party shall not normally be judged by his/her accuser.

#### **Conduct of hearing**

- The accused person shall be notified of the offence/allegations against them and the time and location of hearing. The notification shall be in writing, include all relevant documentation and give at least 7 days' notice.
- The accused person is entitled to be supported by a colleague
- There is no right to legal representation but the panel would normally permit the accused to be legally represented if prior notice is given. The attendance of a legal representative should not be used as a delaying tactic. In the case of a minor, it is recommended that they should be supported by the child welfare officer or an appropriate adult.
- If the complaint has been made by umpires, they should be available to give evidence.
- Witnesses should not be present in the room at the outset, but should be called in individually to give evidence as required, and ideally a separate waiting room should be provided for each party.
- The chairman should open the hearing and introduce all the parties. He/she should then briefly outline the procedure to be followed, specifying the standard of proof to be adopted.
- The charges against the accused should be specified.
- Witnesses should be called individually and asked to give evidence; the panel may question the witnesses and the accused person.
- The accused person should be asked to give his/her account and may call witnesses. The panel may question the witnesses. Once the witnesses have given their evidence and answered any questions, they should leave the room with the permission of the chairman. They may remain but should take no further part in the hearing.

- The panel may question the accused person.
- The panel should deliberate in private. The panel's decision should be by majority vote and where necessary the panel chairman has the casting vote.
- The accused person should be called back and the panel deliver their decision as to whether the case has been proved or not proved. If proved the accused person should be asked of any mitigation which may affect the panel's decision to sentence if they have any discretion on this area.
- The panel should consider their decision in private.
- The accused person should be called in and announced the sentence. The accused person should be made aware of the appeals process, and in particular the time scales in which one may be lodged.
- The decision of the disciplinary panel and if appropriate, the penalty, should be communicated in writing to the person within 10 days.

### **Appeals**

- A player has the right of appeal to the appeals committee.
- Notice of appeal, setting out the ground, must be given in writing no more than 7 days after the initial hearing decision.
- If notice of appeal is given, the penalty shall not take effect pending hearing of the appeal, which shall take place as soon as practicable, but no less than one month.
- The appeal will be by way of a hearing in front of a different committee, the composition of which will be at the discretion of Dunfermline & Carnegie CC president. The player will reserve the same rights of attendance and representation as to the initial hearing.
- The appeals committee reserve the right to confirm, vary or reverse the decision awarded as deemed appropriate by them.
- Decisions of the appeal will be by a majority vote with the chairman having the casting vote
- The decision of the appeals committee will be final and binding and must be delivered to the individual(s) in writing within 10 days

### **Sentencing guidelines**

The following are guidelines to sentencing which may be used by Dunfermline & Carnegie CC when determining appropriate sentencing in any individual case. The guidelines provide a method of considering individual cases but are not a tariff and should not be considered as such. Only a disciplinary panel can decide on the penalty appropriate in any individual case.

#### **Player's behaviour**

- In the event of a player failing to comply with the instruction of an umpire, criticising his 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 the players captain requesting the latter to take action. Such breaches shall be taken seriously and are likely to result in suspension.
- Accumulated bad behaviour, repeated infringements of the spirit of the game (where it's decided that each infringement in itself does not require immediate disciplinary action) should always result in a disciplinary hearing.

- Violence has no place at Dunfermline & Carnegie CC, in any situation. Proven cases of violence against an official will inevitably result in a lengthy term of suspension. Violence against a spectator or another player will also normally result in suspension, the length depending upon circumstances. If suspension is the penalty this should take immediate effect.
- Racial abuse in any form against anybody, will result in suspension, the length dependant upon circumstances.
- Drugs: Its Dunfermline & Carnegie CC policy that anybody found possessing, using, distributing or partaking in “performance enhancing” or “recreational” drugs, will face a charge of gross misconduct and the appropriate penalties if found guilty.

### **Appropriateness of Penalties**

In all cases and for all offences, an admission of guilt will almost certainly result in a lesser sentence being imposed than if the matter is contested – credit being given for the admission. Plainly, the extent of the credit to be given will depend upon all the circumstances of the case, including how early the admission of guilt is made, but, save possibly in the most trivial of cases, it will not normally be such as to change the nature of the penalty or to bring about total suspension of the penalty. Whatever penalties are applied should be applied with consistency.

It is likely that cases of accumulated bad behaviour and cases of violent conduct will result in a suspension of at least four weeks.

Members and guests should understand that suspensions will normally apply to all cricket activities and social events to do with Dunfermline & Carnegie CC at Mckane Park, Pitreavie and away games.

Martin Honeyford

Dunfermline & Carnegie CC President