



# Ballarat Cricket Association Procedure 1A OFFENCES, PENALTIES AND INVESTIGATIONS

This Offences and Penalties document should be read in conjunction with the Ballarat Cricket Association (BCA) Policy 1 – Code of Behaviour, the Laws of Cricket, the BCA Constitution, and the BCA Rules, BCA Policies and Procedures, BCA Governance Documents, and BCA Directives, and is not intended to replace them.

## OFFENCES

Each of the ‘Rules for Behaviour’ has a guideline. The guidelines are intended as an illustrative guide only. In the case of any doubt as to the interpretation of the Rule, the provisions of the Rule itself shall take precedence over the provisions of the guidelines. The guidelines should not be read as an exhaustive list of offences or prohibited conduct.

### 1. Level 1 Offences

The Offences set out at 1.1 to 1.5 below are Level 1 Offences. The range of penalties which shall be imposed for a Level 1 Offence is set out in Section 2 of this Procedure.

Club Players, Officials, Members and Employees must not:

No.	Rule	Guidelines
1.1	Abuse cricket equipment or clothing, ground equipment or fixtures and fittings	Includes actions outside the course of normal cricket actions such as hitting or kicking the wickets and actions which intentionally or negligently result in damage to any advertising boards, boundary fences, or any part of, or contents of, any building or structure at the ground.



1.2	Show dissent at an umpire’s decision by action or verbal abuse	<p>Includes excessive, obvious disappointment with an umpire’s decision or with an umpire making the decision and obvious delay in resuming play or leaving the wicket.</p> <p>This Rule does not prohibit the team captain from requesting an umpire to provide an explanation for a decision, or the captain from commenting on the umpires’ performance in their Captain’s Report.</p>
1.3	Use language that is obscene, offensive, or insulting and/or the making of an obscene gesture	<p>This includes swearing and offensive gestures which are not directed at another person such as swearing in frustration at one’s own poor play or fortune.</p> <p>The extent to which such behaviour is likely to give offence shall be considered when assessing the seriousness of the breach.</p>
1.4	Engaging in excessive appealing	<p>Excessive shall mean repeated appealing when the bowler/fielder knows the batter is not out, with the intention of placing the umpire under pressure. It is not intended to prevent loud or enthusiastic appealing. However, the practice of celebrating or assuming a dismissal before the decision has been given may also come within this Rule.</p>
1.5	Point or gesture towards the pavilion in an aggressive manner, or behave aggressively or derisively towards either batter, upon the dismissal of a batter	<p>Includes charging or running up to the batter and getting “in their face”.</p>

## 2. Level 2 Offences

The Offences set out at 2.1 to 2.8 below are Level 2 Offences. The range of penalties which shall be imposed for a Level 2 Offence is set out in Section 2 of this Code.



Club Players, Officials, Members and Employees must not:

No.	Rule	Guidelines
2.1	Show serious dissent at an umpire's decision by action or verbal abuse	<p>Dissent should be classified as serious where it is expressed by a specific action such as shaking of the head, snatching cap from umpire, pointing at pad or bat, other displays of anger or abusive language directed at the umpire or excessive delay in resuming play or leaving the wicket.</p> <p>This Rule does not prohibit the team captain from requesting an umpire to provide an explanation for a decision, or the captain from commenting on the umpires' performance in their Captain's Report.</p>
2.2	Engage in inappropriate and deliberate physical contact with other players or officials in play	Without limitation, players will breach this regulation if they deliberately walk or run into or shoulder another player, official or match official.
2.3	Charge or advance towards the umpire in an aggressive manner when appealing	Self-explanatory.
2.4	Deliberately and maliciously distract or obstruct another player or official on the field of play	<p>This does not replace Law 42 (4) and (5) of the Laws of Cricket.</p> <p>Without limitation, players will breach this rule if they deliberately attempt to distract a striker by words or gestures or deliberately shepherd a batter while running or attempting to run between wickets.</p>
2.5	Throw the ball at or near a player or official in an inappropriate and/or dangerous manner	This Rule will not prohibit a fielder or bowler from returning the ball to the stumps in the normal fashion.



2.6	Use language that is obscene, offensive or of a seriously insulting nature to another player, official or spectator	This is language or gestures which are directed at another person. See comments under Rule 1.3 above in relation to the seriousness of the breach.
2.7	Change the condition of the ball in breach of Law 42.3	Prohibited behaviour includes picking the seam or deliberately throwing the ball into ground for the purpose of roughening it up and the application of moisture to the ball, save for perspiration and saliva.
2.8	Attempt to manipulate a match in regard to the result, net run rate, percentage points or otherwise. The captain of any team guilty of such conduct shall be held responsible.	Prohibited conduct under this rule will include incidents where a team bats in such a way as to either adversely affect its own, or improve its opponent's, percentage points or net run rate.

### 3. Level 3 Offences

The Offences set out at 3.1 to 3.3 below are Level 3 Offences. The range of penalties which shall be imposed for a Level 3 Offence is set out in Section 2 of this Code.

Club Players, Officials, Members and Employees must not:

No.	Rule	Guidelines
3.1	Intimidate an umpire whether by language or conduct	Includes appealing in an aggressive or threatening manner.
3.2	Threaten to assault another player, Team official or spectator	Self-explanatory.
3.3	Use language or gestures that offend, insult, humiliate, intimidate, threaten, disparage or vilify another person on the basis of that person's race, religion, colour, descent or ethnicity	Self-explanatory.





	the team comply with this rule	<p>Reference may be made to any statement or explanation of the Spirit of Cricket published in conjunction with the Laws of Cricket.</p> <p>Nothing in this Rule or the Code alters the onus on the captain to ensure that the Spirit of the Game is adhered to as stated and defined in the preamble to the Laws of Cricket.</p>
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## 6. Unbecoming Behaviour, includes breaches of BCA policies

No.	Rule	Guidelines
6	Without limiting any other rule, players and officials must not at any time engage in behaviour unbecoming to a player or official that could bring the game of cricket into disrepute or be harmful to the interests of cricket	<p>This is also meant as a general rule to deal with situations where the facts of or seriousness of the alleged incident are not adequately or clearly covered by the offences set out in Rules 1 – 4 (inclusive) above.</p> <p>It is intended to include serious or repeated criminal conduct, public acts of misconduct including by written word (refer <a href="#">BCA Policy 3 - Electronic &amp; Social Media</a>), unruly public behaviour and cheating during play.</p> <p>It is intended to include breach of any BCA Policy or Governance Procedure. E.g. BCA Vilification Policy, BCA Code of Conduct etc.</p>

### CLUB TO ATTEND UMPIRES

For the purpose of ascertaining whether there are to be any persons reported, irrespective of any earlier notification, the Captain/representative/an official of all Clubs shall attend and wait on the Umpires after the close of each day's play.

### MATCH DAY NOTIFICATION OF REPORT



Where an Umpire intends to lodge a report to the Match Report Officer (MRO) of the Association, that Umpire shall notify the person concerned and/or the captain after the close of that day's play.

If the reported player/Captain of the player's team is not able to be notified by the Umpire within one hour of the end of the day's play, a written statement is to be submitted to the MRO of the Association by 12pm on the Monday following the end of the day's play where the report has arisen. This statement is to contain reasons for which either the reported player or the captain of the team was not able to be notified.

### UMPIRES LODGE REPORTS OF MISCONDUCT

An Umpire may lodge a report with the MRO of the Association for any member, official, employee or player of any Club who engages in misconduct or brings the game of cricket into disrepute. In the absence of Umpires, either Captain may make an official report in the same manner as Umpires, such a report maybe be dealt with by the MRO or the BCA Investigations Officer.

### LODGEMENT OF REPORT

By 12pm Monday, upon conclusion of the match from which a report arises, the Umpire shall lodge with the MRO of the Association a report on the appropriate form showing the reported person's name, Club and detail the nature of the misconduct or bringing the game of cricket into disrepute.

### CLUB NOTIFICATION OF REPORT

By 5pm Monday, upon conclusion of the match from which a report arises, the Operations Officer of the Association will notify the Club Executives (via email) the penalty applied by the MRO to the reported person. With the notification of the report, an option to accept the penalty or choose to have the case heard at Tribunal will be given.

### CLUB ACCEPTANCE OF PENALTY OR REQUEST FOR TRIBUNAL

Within 24 hours of receipt of notification, a Club Executive must respond with an acceptance of the penalty or request for a Tribunal hearing. If no response is received within this time, the penalty shall be considered accepted, and any



sanction applied immediately. If a Tribunal hearing is requested, it shall take place on the Wednesday evening at BCA headquarters at a time no earlier than 6pm.

All players should be aware of the standards expected by the BCA. Any person appearing before the tribunal can expect little sympathy and, if found guilty, an appropriate penalty handed down. Unacceptable behaviour will not be tolerated.

## PENALTIES

In the event the MRO or tribunal decides that any person has breached any of Levels 1- 4 (inclusive) of the Offences section of this document, they can do any of the following.

- Apply a penalty in accordance with the tables below.
- Set apart part of the penalties with reference to the guidelines below.
- Increase the penalties where circumstances require a greater penalty than the guideline (e.g. a player having been found guilty of previous offences, whether in this or other competitions, or where the offence is particularly serious).
- Consider any relevant circumstances including:
  - The seriousness of the breach
  - The harm caused by the breach
  - The person’s seniority and standing in the game
  - Remorse shown by the person and the prospect of further breaches
  - The person’s prior record
  - The impact of the penalty on the person

### Specific Guidelines

- I. Any part of a penalty handed down may be suspended.
- II. Any suspended sentence so imposed will automatically apply for a minimum period of two (2) years.





III. If a player is subsequently found guilty of a further offence whilst that suspended sentence is still current, no allowance will be given to suspending any part of a new penalty.

### Match Suspension Penalties

If the MRO or tribunal decides that a player or Club official has breached Level 1-4 (inclusive) of the Offences section of this document, they can apply playing and fines penalties per the tables below.

Level of Offence	Applicable to all BCA sanctioned and fixtured matches.
<b>Level 1</b>	Official reprimand and/or a fine up to <b>\$500</b> and/or a ban of up to 4 days play
<b>Level 2</b>	Ban of 4 to 6 days play
<b>Level 3</b>	Ban of 6 to 10 days play
<b>Level 4</b>	Ban of 10 or more days play up to life ban.

### Points Penalties

In addition to the penalty imposed against the player or Club official as outlined above, the MRO or tribunal may apply a match point penalty within the range of penalties for each level of offence set out in the table below.

The penalty will be applied to the offending player's team in the grade in which the offence occurred.

Match Point Penalties incurred during the round of finals will be applied at the beginning of the next season. The penalty will be applied irrespective of the fact that part of the penalty may be suspended. Suspended penalties carried over from the previous season and activated in the current season fall within the parameters of this section.

Level of Offence	Applicable to all BCA sanctioned and fixtured matches.	Match Point Range



<b>Level 1</b>	Official reprimand and/or a fine up to <b>\$500</b> and/or a ban of up to 4 days play	1 to 3 points
<b>Level 2</b>	Ban of 4 to 6 days play	4 to 6 points
<b>Level 3</b>	Ban of 6 to 10 days play	7 to 10 points
<b>Level 4</b>	Ban of 10 or more days play up to life ban.	11 to 20 points

If the MRO or tribunal decides that any player, club official or club has breached the Laws of Cricket or the Spirit of the game or exhibited unbecoming behaviour or breached any of the BCA Policies bringing the game into disrepute as outlined in items 5 and 6 of the Offences section, they can impose penalties including.

- Fines up to \$5,000.
- Loss of points in all or any grade affiliated with the BCA.
- Player, coach or club official playing and game attendance suspensions.
- Require clubs, players or officials to undertake specialist training e.g. racial discrimination, sexual harassment, culture development.

The MRO or tribunal may also refer matters to the BCA investigation officer – any such referral does not have any time limitations as to action.

### BCA INVESTIGATIONS OFFICER

The BCA will appoint an Investigations officer on an annual basis. This appointment may be a director of the Ballarat Cricket Association. The Investigation Officer can investigate any matter brought to his or her attention including:

- Captains or Umpires Match reports,
- letters from clubs,
- letters or emails from members of the public,
- items from frog box videos or similar,
- letters from BCA staff or directors,
- referrals from the BCA Match Review Officer (MRO),
- referrals from the BCA board of directors or any of its subcommittees,
- letters from the Ballarat Cricket Umpires Association (BCUA), and
- any other source that he or she deems fit to be investigated.



There is no time limit from the date of an alleged incident and the completion of the investigation.

The Investigation Officer is required to:

- attend disciplinary tribunal to present details of why a charge had been raised including details of third-party interviews,
- provide the MRO with details of why a charge had been raised to enable the MRO to assess penalties in line with the Code of Behaviour and Offences, and
- provide a sub-committee of the board details and information discovered as to why the matter was referred.

The BCA Investigations Officer may in his or her absolute discretion:

- after appropriate investigation, recommend to the board that no action is required,
- refer any incident to the BCA tribunal or the BCA MRO,
- refer any matter to a subcommittee of the BCA board,
- co-opt the assistance of an appropriate BCA board director or an experienced non-BCA affiliated person,
- require members, players, coaches, supporters, sponsors, or officials to attend a meeting to provide information in relation to any investigation. (Such meetings may be online, and any such person requested to attend may bring an appropriate support person. Any player, coach, club member or club official refusing to attend such a request may be referred to the disciplinary tribunal for suspension until such time as they to attend.), and
- report items to the police or other relevant authorities.