



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.

PENALTIES

In the event the Match Review Officer (MRO) or the BCA Disciplinary 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 including records of other cricket bodies or Associations.
 - 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

A Match Day Report from an umpire or a Recommendation from the Match Investigation Officer (MIO) will be issued in line with an offence level under a matrix system that provides a structure of prescribed penalties for each offence.

If the MRO or BCA Disciplinary 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. These are applicable to all BCA sanctioned and fixtured matches

Level of Offence	Category	Recommended Penalty	Early Guilty Plea
Level 1	Minor	Official reprimand and/or a fine up to \$500 and/or a ban of up to 4 days play	Reprimand to 2 playing days
Level 2	Major	Ban of 4 to 8 days play	2 to 4 playing days
Level 3	Extreme	Ban of 8 to 10 days play	4 to 6 playing days
Level 4	N/A	Tribunal Ban of 10 or more days play up to life ban.	N/A
Level 5	N/A	Tribunal	N/A
Level 6	N/A	Tribunal	N/A



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

If a member receives 2 Reprimands for a Level 1 offense in a 24-month period, the MRO, in determining the recommended penalty for the second penalty, will also issue a penalty for the breach of a Level 1.7 offense. On notification of the Penalty the member shall have the option of taking an early guilty plea or to follow the process for challenging an MRO Prescribed Penalty at the Disciplinary Tribunal.

Club Players, Officials, Members and Employees must not:

No.	Rule	Guidelines	Category	Recommended Penalty	Early Guilty Plea
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.	Minor Misbehaviour	REPRIMAND	
1.2	Show dissent at an umpire's decision by action or verbal abuse	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. 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.	Minor Misbehaviour	REPRIMAND or 2 Playing Days	REPRIMAND
1.3	Use language that is obscene, offensive, or insulting and/or the making of an obscene gesture	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. The extent to which such behaviour is likely to give offence shall be considered when assessing the seriousness of the breach.	Minor Misbehaviour	REPRIMAND	
1.4	Engaging in excessive appealing	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.	Minor Misbehaviour	REPRIMAND	



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	Includes charging or running up to the batter and getting “in their face”.	Minor Misbehaviour	REPRIMAND	
1.6	Failing to follow an Umpire/s instruction	Self-Explanatory	Minor Misbehaviour	REPRIMAND	
1.7	Two (2) Level 1 Reprimands in a 24-month period	Self-Explanatory		2 – 4 Playing Days	1 – 2 Playing Days

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	Category	Recommended Penalty	Early Guilty Plea
2.1	Show serious dissent at an umpire’s decision by action or verbal abuse	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. 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.	Major	6 Playing Days	2 Playing Days
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.	Major	8 Playing Days	4 Playing Days
2.3	Charge or advance towards the umpire in an aggressive manner when appealing	Self-explanatory.	Major	6 Playing Days	3 Playing Days



2.4	Deliberately and maliciously distract or obstruct another player or official on the field of play	This does not replace Law 42 (4) and (5) of the Laws of Cricket. Without limitation, players will breach this rule if they deliberately attempt to distract a striker by words or gestures or deliberately hinder a batter while running or attempting to run between wickets.	Major	6 Playing Days	3 Playing Days
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.	Major	6 Playing Days	3 Playing Days
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.	Major	4 Playing Days	2 Playing Days
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.	Major	6 Playing Days	4 Playing Days
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.	Major	6 Playing Days	3 Playing Days



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	Category	Recommended Penalty	Early Guilty Plea
3.1	Intimidate an umpire whether by language or conduct	Includes appealing in an aggressive or threatening manner.	Extreme	8 – 10 playing Days	4 - 6 Playing Days
3.2	Threaten to assault another player, Team official or spectator	Self-explanatory.	Extreme	8 – 10 playing Days	4 - 6 Playing Days
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.	Extreme	8 – 10 playing Days	4 - 6 Playing Days

4. Level 4 Offences

The Offences set out at 4.1 to 4.4 below are Level 4 Offences. The range of penalties which shall be imposed for a Level 4 Offence is set out in Section 2 of this Code.

Club Players, Officials, Members and Employees must not:

No.	Rule	Guidelines	Category	Recommended Penalty	Early Guilty Plea
4.1	Threaten to assault a player, umpire, referee, official or spectator	Self-explanatory.	Extreme	Tribunal	N/A
4.2	Physically assault a player, umpire, referee, official or spectator	Self-explanatory.	Extreme	Tribunal	N/A
4.3	Engage in any act of violence on the field of play	Self-explanatory.	Extreme	Tribunal	N/A
4.4	Use language or gestures that seriously offends, insults, humiliates, intimidates, threatens, disparages or vilifies another person on the basis of that person's race, religion, colour, descent or national or ethnic origin	Self-explanatory.	Extreme	Tribunal	N/A



5. Laws of Cricket and Spirit of the Game

No.	Rule	Guidelines	Category	Recommended Penalty	Early Guilty Plea
5	Players must obey the Laws of Cricket and play within the spirit of the game. The captain and team coach must use their best efforts to ensure that their team and individual members of the team comply with this rule	This is meant as a general Rule to deal with situations where the facts of or the gravity or seriousness of the alleged incident are not adequately or clearly covered by the offences set out in Rules 1-4 (inclusive) above. Conduct which will be prohibited under the clause includes time wasting and any conduct which is considered “unfair play” under Law 42 of the Laws of Cricket. This Rule is not intended to punish unintentional breaches of the Laws of Cricket. Reference may be made to any statement or explanation of the Spirit of Cricket published in conjunction with the Laws of Cricket. 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.	N/A	Tribunal	N/A

6. Unbecoming Behaviour, includes breaches of BCA policies

No.	Rule	Guidelines	Category	Recommended Penalty	Early Guilty Plea
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	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. It is intended to include serious or repeated misconduct, public acts of misconduct including by written word (refer BCA Policy 3 - Electronic & Social Media), unruly public behaviour and cheating during play. It is intended to include breach of any BCA Policy or Governance Procedure. E.g. BCA Vilification Policy, BCA Code of Conduct etc.	N/A	Tribunal	N/A



UMPIRES AND CAPTAINS TO MEET

Umpires and Captains of both Clubs must meet after the game to ascertain if a report is to be made.

If a Captain is intending to do a Match Day Report for an incident that occurred during the game that the umpires are not aware of, it must also be discussed at this meeting.

If a Captain does not attend this meeting and a match day report has been made by an official umpire, the Captain will be deemed to have been notified of the match day report

If there is no Umpire the Captains must still meet and any incidents that will be reported by the captain's match Day report are to be mentioned.

A Player Report via the match report will not be accepted if it has not been discussed at this meeting (refer Appendix 2 - Ballarat Cricket Association Governing Procedure 4 PlayHQ Administration and Match Day Guide).

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 or an appropriate break in 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 with respect to 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, via the Match Day Feedback Request and such a report may be dealt with by the MRO.

LODGEMENT OF REPORT

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

CLUB NOTIFICATION OF REPORT

By **12pm Tuesday**, upon conclusion of the match from which a report arises, the Operations Officer 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 an early guilty plea for a reduced prescribed 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 an early guilty plea** 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 **Thursday** evening at BCA headquarters at a time no earlier than 6pm. **As per Procedure 1B TRIBUNAL AND APPEALS PROCESS a payment of \$500 is required for the challenge of an MRO decision at the Disciplinary Tribunal. The Disciplinary Tribunal has the authority to return some or all the \$500 fee as paid.**

All players should be aware of the standards expected by the BCA. Any person appearing before the disciplinary tribunal can expect little sympathy and, **if found guilty of the charge, it is expected that any suspension imposed would extend for a period more than that prescribed by the recommended penalty issued by the MRO.**

A member cannot receive the early guilty plea sanction, if they choose to take a charge to the Disciplinary Tribunal and are found guilty of that charge.

Unacceptable behaviour will not be tolerated.



CLUBS

A club may complain or protest about the conduct of umpires, players, spectators, or officials.

This can be done in two ways.

- A Match Day Report by the Captain or Coaches Report sent via Play HQ
 - This will only be accepted if the other Captain / Coach has been informed of the intended report at the end of game meeting between Captains / Coaches and Umpires were allocated for Senior Games and Under 17 Open and Girls and U15 Open Games.
- A written Complaint on club letter head from a member of the club executive.
 - Details of any complaint should be forwarded to the Operations Officer, within 48 hours of the event.
 - The Details will be forwarded to the Match Investigation Officer (MIO) who shall convene an appropriate investigation. Clubs will be invoiced a \$300 Fee for an investigation for a match day report where no umpire was present, and \$500 if an umpire was present and the issue was not discussed at the post-game Umpire / Captain / Coach Meeting.
 - A component of this fee may be refunded at the end of the investigation.
 - The Complaint Club will receive a request on receipt of the complaint to provide a list of all relevant witnesses within 48 hours.
 - If that list cannot be produced the matter will be voided and if the named witnesses are unwilling to participate in the investigation, none of the fee will be refunded.

BCA BOARD

The BCA Board may lay charges against any club, player, official, member or team participating in an Association match or other activity if it becomes aware of any conduct that appears to be particularly serious to warrant such action.

Where such a charge is for breach of Association Rules for which there is a prescribed penalty or fine, the reported person will be given an opportunity to accept the charge and accept the penalty without a hearing.

Alternatively, the charge may be referred for investigation of the matter to the BCA Investigation Officer and charges may be laid that are deemed appropriate on behalf of the Association.



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 Investigations Officer will conduct all match related investigations plus any other matters as referred by the BCA Board. The Investigation Officer will be referred to as the Match Investigation Officer (MIO) in all policies and procedures related to investigations and any subsequent disciplinary processes.

The MIO can investigate any matter brought to his or her attention including:

- Captains 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 Board 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 MIO 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 MIO may in his or her absolute discretion and after appropriate investigation:

- recommend to the Board that no action is required,
- refer any incident to the Tribunal or the MRO,
- refer any matter to a subcommittee of the Board,
- co-opt the assistance of an appropriate 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

MIO Steps for Match Day Incidents

- Complaint is submitted by Captain/ Coach via Captain Coach Match Day Report or an Official Club Complaint on official club letter within 48 hours of the match.
- Both Clubs will be informed of the Complaint as soon as possible after receipt of Complaint
 - The Complainant will be asked to provide a list of relevant witnesses within 48 hours of notification that the complaint will be received
- The MIO will contact the Club President to organise an appropriate time to talk to the witnesses.
- Once the MIO has spoken to the Complainant Club, he will contact the President of the other club to organise to speak to any relevant people that have been identified. At this point the President of the offending club can offer up other relevant witnesses.
- If an official umpire was appointed to the game, the MIO will also speak to the umpire or umpires.
- The MIO will make a recommendation from his investigation.
- This Recommendation will be forwarded to the relevant party, the MRO or the Disciplinary Tribunal.
- Both Clubs will be notified by the Operations Officer of the outcome of the investigation and any relevant penalty from the MRO, or the need for a Disciplinary Tribunal Hearing
- If the Complaint was lodged by the club, a refund of some or all of the lodgement fee will be paid at this point.



Document Control

Version	Approval Date	Review Date	Owner
1.0	July 2022		BCA Board
2.0	Sept 2026	Sept 2027	Governance Committee