



## **Luxembourg Cricket Federation Guide to the disciplinary procedure**

### **LCF DISCIPLINE OFFICERS**

The Luxembourg Cricket Federation (LCF) appoints a Disciplinary and Complaints Sub-Committee (the DCSC) comprising four members. One of these members is appointed by the DCSC to act as the disciplinary officer and to handle cases under the summary procedure. An alternate member is also appointed and will stand in for the disciplinary officer where the latter is unavailable.

### **CONDUCT OBLIGATIONS**

#### **Cricketers**

**Any cricketer will be in breach of these Regulations, as 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. A cricketer will be in breach of these Regulations if they commit any misconduct on any match day as specified in Law 42 of the Laws of Cricket, namely:**

#### **Level 1**

- wilfully mistreating any part of the cricket ground or any equipment or implements used in the match;
- showing dissent at an umpire's decision by word or action;
- using language that, in the circumstances, is obscene, offensive or insulting;
- making an obscene gesture;
- appealing excessively;
- advancing towards an umpire in an aggressive manner when appealing; and/or
- any other misconduct, the nature of which is, in the opinion of the umpires, equivalent to a Level 1 offence

#### **Level 2**

- showing serious dissent at an umpire's decision by word or action;
- making inappropriate and deliberate physical contact with another cricketer;
- throwing the ball at a cricketer, umpire or another person in an inappropriate and dangerous manner;
- 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
- any other misconduct, the nature of which is, in the opinion of the umpires, equivalent to a Level 2 offence.

#### **Level 3**

- intimidating an umpire by language or gesture;
- threatening to assault a cricketer or any other person except an umpire.

#### **Level 4**

- threatening to assault an umpire;
- making inappropriate and deliberate and/or dangerous physical contact with an umpire;
- physically assaulting a cricketer or any other person;

- committing any other act of violence.

### **Coaches and officials**

**Any coach, match official or club official will be in breach of these Regulations if they fail to conduct themselves fairly and properly on 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 Regulations will include, but not be limited to:**

- 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, 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 LCF, the game of cricket or any cricketer or group of cricketers into disrepute; and/or
- f. acting in a manner contrary to the anti-discrimination code mentioned in the Code of Conduct.

### **Procedures to be followed by umpires**

Any umpire who considers that there has been an onfield breach must make reasonable efforts to inform the individual (or their captain or a club official) before they leave the ground and subsequently make a disciplinary report. This will be irrespective of any action the umpire may have taken on the field of play. Other individuals can also report onfield breaches either to the umpire, in which case the umpire will consider whether to make a disciplinary report, or to the disciplinary officer directly by way of a written complaint (e.g. if the onfield breach relates to a match official). If there is no umpire appointed to a particular match, individuals can report onfield breaches to a captain or club official, who can then make a report on their behalf.

Reports are to be made within two working days of the match in question to the DCSC at [dsc.lcf@gmail.com](mailto:dsc.lcf@gmail.com), copied to the LCF's mandated umpiring liaison officer at [communicationatlcf@gmail.com](mailto:communicationatlcf@gmail.com).

### **DISCIPLINARY PROCESS**

Following receipt of a referral, the disciplinary officer must consider whether there is sufficient information and/or grounds to charge the relevant person with a breach of these regulations. If further information is required, the disciplinary officer is authorised to conduct any further investigation that is necessary.

If there is sufficient information and/or grounds, the disciplinary officer will inform the player and their club by email within two working days. If there is not sufficient information, the disciplinary officer will inform the umpire who submitted the referral that no further action will be taken. In all such cases, the LCF's umpiring liaison officer will also be informed.

If the disciplinary officer decides that the matter does not require a hearing, the summary procedure will apply. If the disciplinary officer decides that the matter requires a hearing, the procedure set out further below will apply.

## **Luxembourg Cricket Federation Guide to the disciplinary procedure**

### **Summary Procedure (this applies to all initial Level 1 and 2 offences)**

Only Level 1 and 2 breaches and the penalties imposed can be determined by the disciplinary officer under the summary procedure. No Level 3 or Level 4 breaches can be assessed under the summary procedure. The disciplinary officer has the power to reduce or increase the level of offence indicated in the umpires' report.

Before making any determination, the disciplinary officer can choose to invite the player concerned to make a submission or can elect to proceed on the basis of the umpires' report alone. A timeframe of two working days will be set for the player to make a submission.

Under both scenarios detailed above, the disciplinary officer will then consider, on the balance of probabilities, whether there has been a breach of regulations. At this stage the disciplinary officer has the authority to decide that the breach will go directly to a hearing rather than be determined under the summary procedure.

If the disciplinary officer decides there has been a breach and it is to be dealt with under the summary procedure, the disciplinary officer will send the player an email detailing the breach(es) and the penalties imposed. The penalties will be in accordance with the sanction guidelines set out below. The email will tell the player of the right to go to hearing rather than accept the penalties, and will explain that the disciplinary panel responsible for the hearing is entitled to revise the original penalty up or down.

A timeframe of two working days will be set for the player to accept the penalties or elect to go to hearing. A player electing to go to hearing will be required to lodge a deposit of €100 in the LCF's bank account as evidence of good faith. Only once this deposit has been credited to the LCF's account will the case proceed. Evidence of the deposit being paid must be provided within two working days of the player electing to go to hearing. The deposit will be refunded only if the hearing panel finds in favour of the player.

The disciplinary officer will inform the DCSC of any charges under the summary procedure that go to hearing.

### **Hearing (applies to all Level 3 and 4 offences and repeat Level 1 or 2 offences)**

The disciplinary officer will establish a 3-person panel comprising the disciplinary officer, the alternate disciplinary officer, and a further (independent) member drawn from the Luxembourg cricketing or sporting community, and will arrange a hearing. The respondent will be told where and when the hearing will take place and whether it will be virtual or in person.

The hearing panel will set the respondent a reasonable timeframe to respond to the charge in writing and set any other directions for the exchange of information and/or evidence (which may include witness statements) that the panel considers appropriate.

At the outset of any hearing, the panel will confirm how it would like the hearing to proceed, and in particular how the case should be presented.

At the end of the hearing, the panel will consider the charge (in private) and determine whether, on the balance of probabilities, there has been a breach of the regulations.

If the panel decides that there has been a breach of the regulations, it will impose a sanction in accordance with the sanction guidelines set out below.



## **Luxembourg Cricket Federation Guide to the disciplinary procedure**

Wherever possible, the panel will communicate the decision and any sanction to the parties verbally at the end of the hearing. The panel's decision will also be confirmed to the respondent and to the respondent's club (and captain, where appropriate) in writing following the hearing.

In the case of Level 1 and 2 offences where the player has elected to go to hearing, the panel's decision will be final, i.e. there will be no further right of appeal. In the case of Level 3 and 4 offences or repeat Level 1 or 2 offences, the player may submit an appeal within two working days and will be required to lodge a deposit of €100 as evidence of good faith. Only once this deposit has been credited to the LCF's account will the case proceed. Evidence of the deposit being paid must be provided within two working days of the player electing to appeal. The deposit will be refunded only if the appeal panel finds in favour of the player.

In the event of an appeal the disciplinary officer will establish a 3-person appeal panel consisting of persons drawn from the Luxembourg cricketing or sporting community. These persons will be different from the members of the hearing panel.

### **Sanctions**

Any sanctions imposed by the disciplinary officer or by the hearing panel will apply to all forms of cricket, excluding friendly games, under the jurisdiction of the LCF and to international matches which are not LCF-governed. They will be effective immediately and remain on the respondent's record for 24 months from the date of the breach.

Level 1 or 2 offences will normally be sanctioned by a one- or two-match ban, depending on the seriousness of the offence. However, the disciplinary officer is authorised to issue a warning and/or a suspended ban where this seems more appropriate.

Level 3 or 4 offences will be dealt with more severely, based on the facts of each incident.

Where the respondent is required to serve a ban of one or more matches, it will be up to the respondent's club (and captain) to ensure that the ban is served properly and fairly, to the satisfaction of the LCF. The LCF will apply appropriate sanctions to the club (and captain) if this is not the case.