



Code of Conduct – Frequently Asked Questions

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1. General

Who does the Code of Conduct apply to?

Any Cricket Participant, Affiliate or Association.

(Note: definitions of these terms are provided within the New South Wales Cricket Association ('NSWCA') By-Laws)

What is the difference between a Code of Conduct and Integrity matter?

Generally speaking, Code of Conduct (CoC) applies to incidents on-field, while integrity applies to off field incidents. However, depending on the seriousness of the alleged offence, a matter occurring on the field could be considered an integrity matter. For example, racial vilification while sledging, particularly if aggravating circumstances exist, might be considered an integrity matter.

How do you describe the Spirit of Cricket?

- Respect is central to the Spirit of Cricket
- Respect your captain, team-mates, opponents, and authority of umpires. Accept the umpire's decision.
- Create a positive atmosphere by your own conduct and encourage others to do likewise. Show self-discipline, even when things go against you.
- Congratulate the opposition on their successes and enjoy those of your own team. Thank the officials and your opposition at the end of the match, whatever the result.

How do you categorise Code of Conduct offences?



There are five levels of offences within the Code of Conduct Procedures that increase with the seriousness of the incident. The level determines who hears and decides the breach and how severe the sanction will be.

Schedule A Level 1, 2 and 3 and Schedule B Level 1 and 2 offences are heard by the Cricket New South Wales ('CNSW') Commissioner.

Schedule A Level 4 and Schedule B Level 3, 4 and 5 offences are heard by the CNSW Judiciary Committee.

For the full list of all offences please refer to Schedule A and Schedule B of the CNSW CoC procedures.

Who is the Commissioner?

The Commissioner is an esteemed position appointed by the NSW Cricket Association's Board of Directors to an individual with extensive experience in sports administration and who has a deep knowledge of integrity practices and processes. The current sitting Commissioner is Roy Amos.

In addition to the Commissioner, CNSW also has six Assistant Commissioners who assist when there is an increase in workload. The current Assistant Commissioners are Alan Wrigley, Bruce Whitehouse, Brian Breakspear, Elisabeth Houston, Jon Whealing and Paddy Moylan.

Is there a public register for suspensions?

There is a publicly available register that can be viewed on the Cricket NSW website via the following link.

Note: Those suspended in the 24-25 season have had their records held inhouse.

2. Procedure

What is the scope of CNSW CoC?

The CNSW CoC applies to all players registered to play cricket in any competition owned, operated and/or managed under the auspices of CNSW or its Affiliates.

Who can report a CoC offence?

Under clause 4.1 of the CoC Procedures, any of the following persons can make a report:

- Umpire



- CNSW Chief Executive Officer (or his or her designee)

Under clause 4.2 of the CoC Procedures, any of the following persons can make a report after seeking leave from the Commissioner:

- an Executive Officer or appointed official of either of the Two Cricket Organisations whose representative teams participated in the Match during or in relation to which the alleged offence was committed.
- an Executive Officer or appointed official who is from or affiliated with the Cricket Association to which the relevant Reported Person belongs.
- a person who officiated in the Match during or in relation to which the alleged offence was committed who is a member of or related to either of the Clubs or Teams participating in the relevant Match (for example, a player umpire, parent, family member or spectator); or
- any other person.

What is the procedure once a report is filed?

1. Report is received by CNSW Integrity Unit
2. Commissioner conducts initial review – Invitation to Respond is issued to Reported Person (Clause 5.3)
3. Notice of Charge is issued to Reported Person (Clause 5.4(b))
 - a. Admit the offence(s) and accept the sanction(s)
 - b. Admit the offence(s) and dispute the sanction(s) → Disciplinary Hearing
 - c. Deny the offence(s) charged → Disciplinary Hearing
4. Appeal Process if required (Part 9)
5. Conclusion of matter – Notice of Outcome sent to Reported Person and Reporting Person

What happens if I am found guilty of a breach?

There are a range of penalties applied, with the more serious breaches receiving higher penalties (in some cases this may be suspensions). The prescribed penalties for each of the four levels of offence are found within Part 12 Schedule A -General Offences and Part 13 Schedule B – Serious Offences of the CoC Procedures.

Can you appeal the decision?

Yes, an appeal can be lodged by:

- The Reported Person.



- The Person Reporting.
- In the case of decision of a decision from a Judiciary Committee, the CNSW Chief Executive Officer only.

Will I be given a “fair” hearing?

Each hearing will be run independently and if the matter progresses to the judiciary committee, this committee is independent of, and will not be, employees or officers of NSWCA.

All individuals will be shown procedural fairness and be given the opportunity to understand the case against them and respond to the case by presenting evidence that may assist the hearing.

What is a Judiciary Committee?

A Judiciary Committee will be convened to hear a Level 3 or a Level 4 breach, or an appeal from a Level 1 or 2 matter.

Each Judiciary Committee will comprise of between one (1) and five(5) members appointed by the Head of Integrity and be chaired by a person who shall be a legal practitioner and a person of experience and skills suitable to the functioning of chairing a Judiciary Committee.

How will the Reporting Person and Association of the Reported Person get notified of the outcome of a matter?

CNSW will email a Notice of Outcome to both the reporting person and the association of the reported person. This document will include the name, level of offence, sanction, and effect of the sanction. Sanctions will also be applied to the Reported Person's Play HQ profile for the period of any suspension.

3. Parent

I am a parent; do I still count as a “Cricket Participant”?

For the purposes of the NSWCA By-Laws a parent is acknowledged as a “Player Support Personnel” and therefore captured under the Code of Conduct as a “Cricket Participant”.

My child has been issued with a Notice of Charge. What should I do?

CNSW will correspond with the relevant parent or guardian notified on the player's Play HQ profile throughout the matter. Other than exceptional circumstances, any person



under the age of 18 years will be required to have a parent or guardian present if any matter proceeds to a hearing.

4. Reported Person

I didn't do what the Notice of Charge says I did. How do I give my own version of events?

Every Reported Person has an opportunity to respond to the Report after receiving an Invitation to Respond. This is your chance to give your version of events and provide all relevant information to the Commissioner. A Reported Person also has three options in the Notice of Charge:

1. Admit the offence(s) and accept the proposed sanctions;
2. Admit the offence(s) but challenge the proposed sanctions; and
3. Deny the offence(s) and proposed sanctions.

In options 2 and 3, the matter will progress to a hearing.

During the hearing, the decision-maker has discretion to manage all matters of process. However, you will be entitled to respond to the allegations made against you. This may be through either a written statement, or by providing oral evidence to the decision-maker, or both.

I have had a finding of breach. How long will this stay on my player record?

All reports remain on a player's record for a period of 18-months from the date of the incident.

Any further reports received within this 18-month period may be considered a second or subsequent offence under the CoC.

Can I bring someone with me to the hearing?

You may bring a support person to the hearing.

I can't make the proposed time of the hearing. What should I do?

Please notify the Integrity Unit at the earliest convenience. The Unit will endeavour to reschedule the hearing and if the date cannot be changed, the hearing can run without the Respondent's attendance.

5. Reporting Person

I've made a report. What happens next?



CRICKET NSW

CNSW aims to have all reports under management by COB Monday with outcomes to be applied the same week. You will be notified if further information is required during the process and you will be provided with the outcome, including any sanctions that were applied.

Will I be required to attend hearings if the matter progresses?

By reporting the matter to CNSW you may be asked to voluntarily attend hearings as a witness. However, the report that is initially lodged with CNSW will be used as evidence.

I don't agree with the category of offence. What can I do?

As a Reporting Person, your role in the process is as a 'witness'. All decisions related to the level of offence, the findings and the outcomes from hearings are made independently by either the Commissioner or the Judiciary Committee. However, you can lodge an appeal in accordance with Part 9 of the Procedures.

6. Club

When will the Club be notified of an alleged breach?

The Reporting Person may notify the Club of the report being made. If this has not occurred, a notification will be sent by a member of the CNSW Integrity Team. This is via the initial email from the CNSW Integrity Team which contains an Invitation to Respond. This document is addressed to the Reported Player and contains a verbatim copy of the report received.

Is the Club included in all correspondence with the Reported Player?

No. The Club are not included in the Notice of Charge stage. An email is sent to the Reported Person with a Notice of Charge which details the offence(s) the Commissioner deems to have occurred and a proposed sanction(s). It is the decision of the Reported Player whether to share this document with the Club.

When will the Club be notified if a suspension occurs?

A member of the Club will be sent a Notice of Outcome which will provide the name, level of offence, sanction, and effect of sanction as well as any right of appeal available.

7. Other

There is a deadline of two days following match completion. What if there is a Code of Conduct breach on day 1 of a two (2) day match?



CRICKET NSW

Reporting Persons are encouraged to submit reports as soon as reasonably practicable. If Cricket NSW finalises a report prior to the completion of the match, the Commissioner has discretion to impose the sanction on Day 2 of the fixture.

What is the difference between “cumulative” and concurrent”?

Cumulative suspensions will be applied when the two distinct Code of Conduct breaches occurred from separate actions (i.e. in the morning session a dissent occurs, following lunch the batsmen throws equipment = two (2) separate)

Concurrent suspensions are applied when there is more than one breach from the same action (i.e. if the action of dissent and disparaging the Umpire occurs and it is a two (2) Match and one (1) match, the suspension will only be two (2) Matches).

For more information on CNSW CoC please refer to the NSWCA By-Laws and CNSW Code of Conduct Procedures and our resources page [here](#).