



Code of Conduct FAQ: Reported Person

GENERAL QUESTIONS

What is a Code of Conduct Report?

A Code of Conduct Report is an allegation of conduct that occurred during a Match. This includes conduct which takes place off the field of play at the ground on the day of the Match, and it may also include conduct that is connected to matters which transpired prior to, on the field of play, or after the Match.

Examples may include:

- Conduct that is contrary to the Spirit of Cricket
- Use of an audible obscenity during a Match – excludes in frustration, due to physical pain, or an involuntary excitable exclamation
- Showing dissent at an Umpire's decision during a Match
- Abuse of cricket equipment or fixtures and fittings during a Match
- Personal abuse of a Player or Cricket Participant during a Match
- Consumption of alcohol and illicit substances prior to/during a Match
- Using a gesture(s) that is obscene, offensive, or insulting during a Match

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

Integrity relates to off-field incidents and are often more serious and complex.

Examples include:

- Bullying/Harassment
- Assault
- Fraud
- Sexual misconduct
- Breaches of Child Safeguarding Policies

What if I am reported?

You will be notified via the email listed on your Play HQ account. You will receive a copy of the report and be provided with a chance to respond.

Being the subject of a Report does NOT mean a conclusion has been reached.

What is the process?

1. The report is received by CNSW and allocated to an independent Code of Conduct Commissioner to determine the matter.
2. You will receive an [Invitation to Respond](#) (via email to the address listed on Play HQ → ensure you check and update your email each season)



3. The Code of Conduct Commissioner will determine if there is a case to answer:
 - a. No case → matter dismissed with no further action – you will receive a Notice of Outcome
 - b. Case to answer → charge and sanction offered – you will receive a Notice of Charge
4. **Notice of Charge** – you will be told what offence you have breached and you will receive a proposed sanction. You will have 24 hours to respond and have 3 options (see below).
5. **Hearing** – you will be invited to attend a Microsoft Teams meeting where the matter will be determined by the Code of Conduct Commissioner / a Judiciary Committee (depending on severity of offence)
6. **Outcome** – you will receive a Notice of Outcome which includes a section on whether you have a right to appeal the decision

Who will be the decision maker?

The Code of Conduct Commissioner, who is an independent external individual, is solely responsible for determining if there has been a breach of the Code of Conduct and the appropriate sanction.

Code of Conduct Commissioners are volunteers who are appointed by the NSW Cricket Association Board. They are not paid by Cricket NSW.

If you dispute your matter, there will be a hearing. Depending on the level and type of offence, your matter will either be heard by the Code of Conduct Commissioner or a Judiciary Committee.

What is a Judiciary Committee?

A Judiciary Committee is a panel of between one (1) and five (5) individuals who will hear your matter. They will determine if there has been a breach of the Code of Conduct and the appropriate sanction.

Members of the Judiciary Committee are volunteers who are appointed by the Head of Integrity. They are not paid by Cricket NSW.

PROCESS QUESTIONS

What is an Invitation to Respond?

An Invitation to Respond (ITR) is a document that contains a verbatim copy of the report received by the Integrity Unit. This is your opportunity to provide your version of events and submit any supporting witness statements or photo/video evidence.

What happens if I don't respond to the Invitation to Respond?

Failure to respond within the specified timeframe (typically 24 hours) means the Commissioner will decide if there is a breach based on the initial Report and any other available information (e.g. Frog box footage, witness statements)

What is a Notice of Charge?

A Notice of Charge (NOC) is a document that outlines the Commissioner's decision on the alleged conduct in the form of a charge (offence committed) and will contain a proposed sanction. If the Commissioner provides reasons for their determination this will be included as considerations.

What are my options if I receive a Notice of Charge?

- a. Accept offence and charge → matter finalised – you will receive a Notice of Outcome
- b. Accept offence but deny sanction → hearing to discuss sanction (do NOT choose this option if you do not agree with the alleged offence)
- c. Deny offence and sanction → hearing to discuss alleged conduct and sanction

What happens if I don't respond to the Notice of Charge?

Failure to respond within the specified timeframe (typically 24 hours) means you are deemed to have accepted the offence and sanction. You will receive a Notice of Outcome confirming the breach, sanction and its effect.

SANCTION QUESTIONS

What types of sanction can be imposed?

- reprimands
- match suspensions
- fixed-term suspensions
- education/counselling
- team penalties
- role bans

Please see pages 24 and 29-32 for a full list of sanctions that the Commissioner may impose.

How are sanctions determined?

Sanctions are imposed at the discretion of the Code of Conduct Commissioner. They will consider factors, including but not limited to:

- the seriousness of the breach

- the harm caused by the breach to the interests of cricket
- your seniority and standing in the game
- any remorse shown by you
- the prospect of further breaches
- your prior record of abiding by the Code of Conduct

If there is a prior record of your conduct that will be considered as a second (2nd) or subsequent offence.

What is a deferred sanction?

A deferred sanction refers to a type of penalty that is not immediately enforced. The Commissioner has the discretion to fully or partially defer a sanction.

If you received a deferred sanction, you will not be required to serve the Match suspension unless there is subsequent offence committed within a 2-year or 3-year period (your Notice of Outcome will specify how long). If a subsequent offence is committed, you will be required to serve your deferred sanction in addition to any further period of suspension that may be imposed as a result of the subsequent offence.

Can I be suspended before my matter is finalised?

Yes, a provisional suspension may be imposed if the Head of Integrity is satisfied:

- the conduct is serious
- there is a further or ongoing risk of harm
- it is in the best interests of cricket

How long does a provisional suspension last?

Until the matter is finalised, unless varied or removed by the Head of Integrity.

Can I challenge a provisional suspension?

No, but you are entitled to an expedited hearing.

HEARING QUESTIONS

Will my matter go to hearing?

Only if you choose option b or c in the Notice of Charge. That is, accept the offence but deny the sanction OR deny the offence and sanction.

What happens at a hearing?

- Evidence is presented
- Witnesses may be called

- You can respond to the case
 - A decision-maker determines the outcome
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APPEAL QUESTIONS

Can I appeal?

Yes, you may appeal in limited circumstances.

You cannot appeal:

- a decision of the Head of Integrity in relation to Provisional Action
- any Commissioner decision to take no action under Clause 5.4(a)
- any Commissioner decision to withdraw or amend a Notice of Charge under Clause 6.6
- any Commissioner decision to refer a matter to a hearing, or to a Judiciary Committee or the Head of Integrity for determination of procedure
- your decision to admit, or be deemed to accept in accordance with Clause 5.8, the offence charged and accept the proposed sanction as set out in the Notice of Charge
- any decision of a Judiciary Committee

Appeals are limited to:

1. Denial of procedural fairness
2. Disproportionate sanction
3. Unreasonable decision

Is there a deadline for an appeal?

Yes, an appeal must be lodged via email to integrity@cricketnsw.com.au within 48 hours (business days).

PROCEDURAL FAIRNESS AND YOUR RIGHTS

It is important you know your rights during this time. Importantly the process must be procedurally fair. If you believe you have been subject to a process that was not conducted with procedural fairness, you should contact integrity@cricketnsw.com.au immediately or consider your appeal rights.

You have the right to:

1. Be provided with a copy of the initial Report and any other evidence available to the Commissioner

2. Respond to the alleged conduct including the following:
 - provide your version of events
 - respond to evidence relied upon
 - provide witness statements
 - submit your own evidence
3. An unbiased and impartial process
 - decision makers should not have an actual or perceived conflict of interest or bias
 - if such a conflict exists the decision maker should remove themselves from the process unless there are other extenuating reasons for them to remain (such as urgency for the matter to be resolved, time past from previous interactions etc)
4. Have a support person present during a hearing (if relevant)
 - If you are a child or young person, or a vulnerable person, you must always have a parent/guardian or carer present
 - If you are an adult, you have the right to a support person if you wish
5. To be kept informed and offered appropriate support
 - you should be advised of the status of the Report regularly and offered appropriate services should you wish to seek extra help
 - you should be advised of the outcome

INTEGRITY UNIT TIPS

1. Keep your contact details up to date and check your emails regularly
2. Cooperate with the process
3. Be honest and respectful
4. Familiarise yourself with the Code of Conduct Procedures
5. Respond within the advised timeframes
6. Submit all relevant evidence in support of your position (witness statements, Frog box footage, etc)
7. Ask questions if you are unsure (contact integrity@cricketnsw.com.au)

RESOURCES AVAILABLE

Employee Assistance Program (EAP)

If you need support during this process, you may wish to access Cricket Australia's Employee Assistance Provider, Converge International. You can book a confidential session via online or phone (details below), and just state that you have been referred by



Cricket Australia. They are available by phone at short notice, or if longer notice provided, a video call can be arranged or face to face consult is also available.

Converge International contact details:

- Online: convergeinternational.com.au
- Phone: 1300 687 327
- Organisation Code: CRICNSW

Additional materials

[Code of Conduct Procedures](#)

[Resources](#)