

## **FINNISH CRICKET ASSOCIATION DISCIPLINARY GUIDELINES**

### **I Reporting/Notification Procedure**

#### **1 General**

1.1. An alleged breach of the FCA Code of Conduct can be reported by

- a) the umpires,
- b) the clubs representing the playing teams
- c) the Disciplinary secretary
- d) any member of the cricketing society through the Disciplinary secretary

1.2. A report must be made in writing, signed and dated by the person(s) making the report. This report is to be e-mailed to the Disciplinary secretary. The Disciplinary secretary will decide which reports will initiate a disciplinary process.

#### **2 Reports relating to alleged breaches of the FCA Code of Conduct committed on the field of play or within the precincts of the ground during a Match or on the day of the match:**

2.1 If any person eligible to lodge a report decides to lodge a report relating to an alleged breach of the FCA Offences and Penalties guidelines committed on the field of play during a Match or otherwise than on the field, but within the precincts of the ground on the day of the match, that person must lodge the report with the Disciplinary secretary within 7 days of the match played. In the occurrence of serious offences, such as doping violations or match-fixing, reports received later than the 7 days mentioned above can be accepted at the discretion of the Disciplinary secretary.

2.2 The Disciplinary secretary will decide whether the report is grounds for a disciplinary process. The report of the umpire(s) will be seen as central to this deliberation.

2.3 If the report leads to a disciplinary process, the Disciplinary secretary will immediately notify the charged player and the player's team captain and / or club chairman of the player being reported.

#### **3 Responsibility of captain and documentation of reports**

3.1 In the event of an alleged breach where it is not possible to identify the particular Player(s) who has breached the FCA Offences and Penalties guidelines, the Captain may be the person charged and, if appropriate, sanctioned.

3.2 It shall be the Disciplinary secretary's responsibility to keep a written record of all reports lodged, as well as a written record of the action pursuant to receipt of the reports.

3.3 Copies of the written records kept by the Disciplinary secretary shall be forwarded as soon as reasonably practicable to the FCA Chairperson.

#### **4 Disciplinary processes concerning teams / clubs**

This document outlines the disciplinary process concerning individual players or officials. The Disciplinary process concerning teams / clubs is defined in LSC guidelines concerning official FCA leagues.

## II Disciplinary Procedure

### 1. Charges

As soon as reasonably practicable (and in any event, within 14 days) after notification, the Disciplinary secretary shall provide an official charge describing the FCA Offences and Penalties guidelines it is alleged have been breached (based on the particulars notified) to the persons charged and their team captain and / or club chairperson. The particulars, in addition to identifying which of the FCA Offences and Penalties guidelines it is alleged have been breached, shall give a brief statement of how it is alleged they have been breached (also based on the particulars notified). If more than one breach is alleged, whether of the same or separate FCA Offences and Penalties guidelines, each alleged breach must be individually identified. All the evidence collected (original report, umpires' reports, captains' reports etc.) for the case shall be included in the charge.

### 2. Hearing and decision

- 2.1 In Level 1 charges, as defined in the FCA Code of Conduct, the charged persons will be asked to reply to the charges by email within 7 days of notification. After this, the case material, including the original report, the reply of the charged person(s), as well as any other relevant material, will be processed by the Disciplinary secretary and the Disciplinary secretary will make a decision based on this material. The Disciplinary secretary may, at his/her discretion, request additional statements from any involved parties. Based on this material, the disciplinary secretary will make a decision within one week of receiving all relevant material. The decision(s) will be informed to all relevant parties with specified sanctions by the Disciplinary secretary.
- 2.2 In Level 2 charges, as defined in the FCA Code of Conduct, the charged persons will be asked to reply to the charges by email within 7 days of notification. After this, the case material, including the original report, the reply of the charged person(s), as well as any other relevant material, will be sent by the Disciplinary secretary to two Disciplinary panel members who will make a decision based on this material. The arbitrators of the Disciplinary panel may, at their discretion, request additional statements from any involved parties. Based on this material, the arbitrators will make their decision within one week of receiving all relevant material. The decision(s) of the arbitrators will be informed to all relevant parties with specified sanctions by the Disciplinary secretary.
- 2.3 In Level 3 and 4 charges, as defined in the FCA Code of Conduct, the charged persons will be asked to reply to the charges by email within 7 days of notification. After this, the case material, including the original report, the reply of the charged person(s), as well as any other relevant material, will be sent by the Disciplinary secretary to the entire Disciplinary panel, which will make a decision based on this material. In the case that a member of the Disciplinary panel is unavailable or disqualified, the Disciplinary secretary will act as substitute. The Disciplinary panel may, at its discretion, request additional statements from any involved parties. Based on this material, the panel will make its decision within one week of receiving all relevant material. The decision(s) of the panel will be informed to all relevant parties with specified sanctions by the Disciplinary secretary.

In addition, in Level 3 and 4 charges, a physical hearing will be held if

- a) the Disciplinary panel so decides and / or
- b) one of the involved parties so requests

This hearing will be held as soon as reasonably practicable and unless exceptional circumstances apply, it shall be heard no later than 14 days after the original notification.

In addition to the Disciplinary secretary and Disciplinary panel, the persons present at the hearing shall be:

- the person charged;
- the person who lodged the report with the Disciplinary secretary;
- if the person charged is a Player, his Captain and Club Chairperson (or, if the player charged is the Captain, his Vice-Captain and Club Chairperson);
- if the person charged is a Team Official, the relevant Captain and Club Chairperson (or, if the person charged is the Club Chairperson, his Captain and one other person nominated by the Team Official's Home Board).
- any witnesses either the Disciplinary panel or the charged person(s) wish to call

### 3. Legal advice

The Disciplinary panel is entitled, if it is required, to seek legal advice prior to or during any hearing (for which purpose the Disciplinary panel is entitled to adjourn the hearing) and/or prior to giving its decision.

### 4. Temporary bans

In serious Level 3 and Level 4 charges, the Disciplinary secretary may after consultation with the Disciplinary committee impose a temporary official ban until a disciplinary decision is reached. Any matches the charged player misses during this ban will be deducted from the final sanctions.

## III Decisions and appeals

### 1. Decision

Once the decision has been given the Disciplinary secretary shall inform the player, the captain of the player's team and / or the chairperson of the player's club, as well as the FCA Chairperson of its finding(s), and the sanction (if any) they have imposed and a description of the appeals procedure.

### 2. Appeals

2.1 Appeals in respect of Level 2, 3 and 4 offences are permissible.

2.2 Appeals procedure:

2.2.1 A Player or Team Official charged or the FCA Chairperson shall be permitted to appeal against a Disciplinary panel's finding and/or penalty in respect of a Level 2, Level 3 or Level 4 Offence.

2.2.2 The relevant Player or Team Official or the FCA Chairperson seeking to appeal against a decision (the Appellant) is to lodge with the Disciplinary secretary written notice of appeal setting out the grounds of the appeal within 7 days of notification to the Player or Team Official of the Disciplinary panel's decision.

2.2.3 In all appeals, the appellant / the appellant's club shall submit a processing fee payable to the

FCA. In the case that the appellant appeals, the sum shall be 100 euros and in case the appeal is lodged by a club, the sum shall be 250 euros. If the appeal is successful, the fee will be returned in full to the appellant / the appellant's club. If the appeal is unsuccessful, the fee will not be returned. An appeal will not be handled until the processing fee has been received on the FCA's bank account.

- 2.2.4 Within 2 days of receiving the Appellant's notice of appeal and the payment of the processing fee, the Disciplinary secretary shall provide a written statement setting out all relevant circumstances, documents and evidence, as well as the decision of the Disciplinary Panel.

This statement shall be forwarded to the Appellant, the Appeal's panel and the FCA chairman.

- 2.2.5 Level 2 offences: Within 5 days of receipt of the appeal and the processing fee, the Disciplinary secretary shall appoint two members from an Appeal's Panel selected by the FCA Committee. The appointed members must be from a club other than those involved (in any way) in the match, and not be involved as players in the same league as the charged persons. The two appointed members shall determine the appeal within 7 days of their appointment.
- 2.2.6 Level 3 and Level 4 offences: Within 5 days of receipt of the appeal and the processing fee, the Disciplinary secretary shall appoint three members from the Appeal's Panel selected by the FCA Committee. The appointed members must be from a club/other than those involved (in any way) in the match, and not be involved as players in the same league as the charged persons. The appointed members shall determine the appeal within 7 days of their appointment.
- 2.2.7 The process for conducting the hearing shall be left to the discretion of the persons appointed. Oral representations (either in person or by telephone conference) can be permitted unless there are good reasons for not relying on written submissions only. Where it is available, they shall view video tape of the incident which is the subject matter of the appeal.
- Provided that notice has been given to the Appellant of the time and place for any hearing, the hearing shall not be delayed or adjourned by reason of the fact that the Appellant does not attend.
- 2.2.8 The Persons appointed shall provide a written decision to the Disciplinary secretary and the FCA Committee within 24 hours of making said decision, which shall be forwarded to the Appellant and the FCA Chairperson immediately upon receipt by the Disciplinary secretary.
- 2.2.9 The Persons appointed shall have the power to increase, decrease, amend or otherwise substitute their own decision from that of the Disciplinary panel if they believe it is appropriate to do so.
- 2.2.10 Pending resolution of an appeal, a Player shall be permitted to play in a match that is scheduled to commence prior to the announcement of the final decision, unless a temporary ban described in II.4 is in force.
- 2.2.11 The decision of the Persons appointed can be appealed by lodging an appeal with the Urheilun oikeusturvalautakunta within 30 days of receiving notice of the decision.

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