

## **NDCA Code of Conduct – Tribunal Processes and Penalties (UPDATED SEP-2023)**

### **Process:**

The NDCA Secretary receives a report alleging a breach of the Code of Conduct.

The breach is passed from the NDCA Secretary to the Tribunal Chair or their nominee.

The Tribunal Chair assesses the report and the alleged actions. The Tribunal Chair may:

- Decide the report warrants no further action. This decision is then shared with two additional NDCA committee members for their assent as to this decision, and if all three members agree, no further action taken. Where there is not an unanimous decision, the offence is taken through to a hearing.
- Decide the report constitutes a potential breach of the code of conduct.

Where the decision is made that there is a potential breach of the NDCA Code of Conduct, a Tribunal is formed from NDCA committee members or other suitable representatives who are not conflicted from sitting on the Tribunal.

The tribunal confirms the alleged breach of the code of conduct and then decides on the severity of the alleged offence, low, medium, or high, based on an analysis of the reports and other information received, including player history, against the descriptors.

For single low grade offences, an early guilty plea will see a 50% discount against any penalty imposed by the Tribunal and negate the need for the alleged offender or club to appear before the Tribunal (the NDCA will not provide early penalty notice, other than it is a low grade offence). For a second or further low grade offence over a two-year period, no early plea will be permitted.

All players accused of medium or high grade offences must attend a tribunal hearing. Guilty pleas at the hearing may attract a penalty discount. Any discount will be applied by the Tribunal after the penalty is determined.

### **Application of MCC Law 42**

In games where an official (not player) Umpire is officiating, the Umpire is encouraged to apply Law 42, which allows for players committing a level 3 (High level NDCA offence), to be removed from the game for a period of time, or for the entire match. The Captain is responsible for removing the player once notified by the official umpire; if the player refuses to leave the field or the captain refuses to remove the player, the match will be awarded to the opposing team and the behaviour reported to the NDCA Secretary.

The table on the following pages details the list of offences in the NDCA Competition Rules. The table sets out descriptions of the type of activity that would be likely to fall into low, medium, and high level categories against each offence. The descriptions are not meant to be a comprehensive list of all activities that would be caught under this type of offence. It should be noted that this table is a guideline for the Tribunal and that the descriptions and penalties listed are examples only, to guide the Tribunal in their decision making as to the severity of the alleged offence.

**Table of NDCA Code of Conduct offences, offence descriptors, and penalty ranges.**

<b>Offence</b>	<b>Low Range</b>	<b>Medium range</b>	<b>High Range</b>
5.3 (a) assault or attempt to assault an umpire, another registered player, official of the NDCA, or spectator; or	<p><b>Descriptor:</b> Minor deliberate bumping, pushing and shoving. Attempted assault where actions of others prevent assault taking place.</p> <p><b>Penalty:</b> 1 round to 7 rounds</p>	<p><b>Descriptor:</b> Fighting involving grappling and/or punching between players where both players are equally involved. Fighting involving multiple players. Sustained deliberate bumping, pushing, and shoving. Attempted assault with a weapon, deadly or otherwise.</p> <p><b>Penalty:</b> 8 rounds to 2 years</p>	<p><b>Descriptor:</b> Sustained deliberate physical assault causing injury. Assault using a weapon, deadly or otherwise. Action resulting in police charges. All assaults or attempted assaults on spectators and umpires. Fighting involving multiple players.</p> <p><b>Penalty:</b> 2 years to life</p>
5.3 (b) abuse, either orally or physically an umpire, another registered player, official of the NDCA or spectator; or	<p><b>Descriptor:</b> Low level abuse directed at no-one, but loud enough for others to hear. Single swear words or low level abuse directed at players.</p> <p><b>Penalty:</b> Official warning to 4 rounds</p>	<p><b>Descriptor:</b> Any swearing or abuse directed to an umpire, spectator, or NDCA official. Multiple word swearing or abuse directed at another player.</p> <p><b>Penalty:</b> 5 rounds to 1 year</p>	<p><b>Descriptor:</b> Sustained verbal assault containing threats, and/or delivered in close proximity to the umpire, player, or other person, and likely to cause fear or intimidation to the recipient or others.</p> <p><b>Penalty:</b> 1 year to 2 years</p>
5.3 (c) engage in any conduct, act towards or speak to an umpire, another registered player, official of the NDCA or spectator in a manner which offends, insults, humiliates or vilifies such person on the basis of that person's sexuality, race, religion, colour, descent or ethnic origin; or	<p><b>Descriptor:</b> n/a</p> <p><b>Penalty:</b> n/a</p>	<p><b>Descriptor:</b> Single, low level reference to a person's sexuality, race, religion, colour, in a way that causes distress or offence to another person.</p> <p><b>Penalty:</b> 8 rounds to 1 year</p>	<p><b>Descriptor:</b> Referring to a person's sexuality, race, religion, colour, combined with swearing, in a sustained manner. All comments towards umpires of this nature.</p> <p><b>Penalty:</b> 1 year to 2 years</p>

Offence	Low Range	Medium range	High Range
5.3 (d) dispute, as distinct from question an umpire's decision or react in any obviously provocative or disapproving manner towards an umpire, the umpire's decision or generally following an umpire's decision; or	<p><b>Descriptor:</b> Single gesture, comment, or swear word about a decision not directed at the umpire.</p> <p><b>Penalty:</b> Official warning to 5 rounds</p>	<p><b>Descriptor:</b> Arguing or disputing the decision of the umpire from a distance, including making comments to team-mates, opposition players, or others.</p> <p><b>Penalty:</b> 5 rounds to 1 year</p>	<p><b>Descriptor:</b> Confronting an umpire and disputing the decision. Sustained argument or dispute to an umpire from a distance, or continued disputing and commenting to others about the decision. Continuing after warning from an umpire.</p> <p><b>Penalty:</b> 1 year to 2 years</p>
5.3 (e) use crude and abusive language or engage in any form of conduct detrimental to the spirit of the game or likely to bring the game into disrepute; or	<p><b>Descriptor:</b> Low level abuse directed at no-one, but loud enough for others to hear. Single swear words or low level abuse directed at players. Low level misbehaviour against the spirit of the game.</p> <p><b>Penalty:</b> Official warning to 4 rounds</p>	<p><b>Descriptor:</b> Any swearing or abuse directed to an umpire, spectator, or NDCA official. Multiple word swearing or abuse directed at another player. Mid level misbehaviour against the spirit of the game.</p> <p><b>Penalty:</b> 5 rounds to 1 year</p>	<p><b>Descriptor:</b> Sustained verbal assault containing threats, and/or delivered in close proximity to the umpire, player, or other person, and likely to cause fear or intimidation to the recipient or others. Other sustained misbehaviour against the spirit of the game.</p> <p><b>Penalty:</b> 1 year to 2 years</p>
5.3 (f) use crude and abusive signals or gestures; or	<p><b>Descriptor:</b> Non-threatening gesture or signal given once.</p> <p><b>Penalty:</b> Official warning to 1 round</p>	<p><b>Descriptor:</b> Threatening or sexually explicit gestures or signals, delivered once.</p> <p><b>Penalty:</b> 2 rounds to 4 rounds</p>	<p><b>Descriptor:</b> Any offensive signal or gesture to an umpire. Offensive gestures or signals delivered multiple times, or of an overtly threatening or sexually-explicit nature.</p> <p><b>Penalty:</b> 5 rounds to 7 rounds</p>
5.3 (g) refuse to give his or her name; or	<p><b>Descriptor:</b> Player declines to provide their name to opposition captain, umpire or NDCA official, when they are informed they are to be cited for a breach of the Code of Conduct</p> <p><b>Penalty:</b> Formal warning to 4 rounds</p>	<p><b>Descriptor:</b> n/a</p> <p><b>Penalty:</b> n/a</p>	<p><b>Descriptor:</b> n/a</p> <p><b>Penalty:</b> n/a</p>

Offence	Low Range	Medium range	High Range
<p>5.3 (h) consume alcohol at the ground while participating in that match.</p>	<p><b>Descriptor:</b> Public, opposition captain, or NDCA official report of alcohol consumption during the match.</p> <p><b>Penalty:</b> Formal warning to 2 rounds</p>	<p><b>Descriptor:</b> Umpire report that players were consuming alcohol during the match. Refusal to stop drinking when requested.</p> <p><b>Penalty:</b> 3 rounds to 6 rounds</p>	<p><b>Descriptor:</b> Alcohol consumption combined with other medium to serious level offences.</p> <p><b>Penalty:</b> 7 rounds to 1 year</p>
<p>5.4 The Captains are responsible at all times for ensuring that play is conducted within the spirit of the game as well as within the laws - "MCC LAW 42.1". The Captain of a team may be held responsible for any breaches of the "Code" by any player in his team and may be reported for failure to control his team.</p>	<p><b>Descriptor:</b> Captain fails to control players in their general behaviour through absence of the captain's authority.</p> <p><b>Penalty:</b> Formal warning to 2 rounds.</p>	<p><b>Descriptor:</b> Captain declines to act or fails to control his team, after being requested to by the opposition captain or umpire.</p> <p><b>Penalty:</b> 3 rounds to 7 rounds</p>	<p><b>Descriptor:</b> Captain, by words or actions, encourages their team to breach the law or spirit of the game.</p> <p><b>Penalty:</b> 8 rounds to one year</p>
<p>5.5 In any instance where a registered player is found guilty of an offence related to the Code of Conduct and is suspended from participating in any fixture approved by the NDCA, the Captain of the team may also receive a suspension equal to half that of the suspended player.</p>	<p><b>Descriptor:</b> Penalty usually levied in cases of multiple team or player infractions, or where there is evidence that the captain has not acted to defuse player behaviour.</p> <p><b>Penalty:</b> Half of player penalty. If more than one player is found guilty, then half of the most severe penalty imposed.</p>	<p><b>Descriptor:</b> Penalty usually levied in cases of multiple team or player infractions, or where there is evidence that the captain has not acted to defuse player behaviour.</p> <p><b>Penalty:</b> Half of player penalty. If more than one player is found guilty, then half of the most severe penalty imposed.</p>	<p><b>Descriptor:</b> Penalty usually levied in cases of multiple team or player infractions, or where there is evidence that the captain has not acted to defuse player behaviour.</p> <p><b>Penalty:</b> Half of player penalty. If more than one player is found guilty, then half of the most severe penalty imposed.</p>