



CSMOA Complaints Procedure Guidance

This guidance document is to be used in conjunction with the current CSMOA Complaints Procedure. This document may be of assistance when attempting to determine whether the actions of a CSMOA *Member* subject to a complaint, or in a potential forthcoming complaint, are appropriate, relevant, and actionable by CSMOA under its procedure.

This guidance is particularly relevant where such a complaint, or potential complaint, arises from a situation within a fixture where the CSMOA *Member* has been officially appointed.

Indeed, the MCC Laws of Cricket themselves provide some initial indication as to what actions can be reasonably considered under a complaint to CSMOA, we outline these sections below:

The Preamble – The Spirit of Cricket

Cricket owes much of its appeal and enjoyment to the fact that it should be played not only according to the Laws, but also within the Spirit of Cricket. The major responsibility for ensuring fair play rests with the captains, but extends to all players, match officials and, especially in junior cricket, teachers, coaches, and parents.

Respect is central to the Spirit of Cricket.

- *Respect your captain, team-mates, opponents, and the authority of the umpires.*
- *Play hard and play fair.*
- *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.*

Cricket is an exciting game that encourages leadership, friendship and teamwork, which brings together people from different nationalities, cultures and religions, especially when played within the Spirit of Cricket.

Law 2 - The Umpires

2.11 - Disagreement and dispute

Where there is disagreement or dispute about any matter, the umpires together shall make the final decision. See also Law 31.6 (Consultation by umpires).

2.12 - Umpire's decision

An umpire may alter any decision provided that such alteration is made promptly. This apart, an umpire's decision, once made, is final.

“During a Match”

Cricket Scotland confirms in their Code of Conduct (for players & club officials) that the phrase “during a Match” should be interpreted broadly to cover all conduct which takes place at the ground on the day of a Match, and not just conduct which takes place on the field of play. It will therefore include conduct which takes place off the field of play, for example in the changing rooms, or during any of the intervals in the match. Such a definition may also apply to CSMOA *Members* acting at an official appointment.

Onfield decisions

As per the current CSMOA Complaints Procedure, the Secretary will conduct the investigation of all complaints before deciding on an appropriate course of action (no further action, mediation, complaint hearing). During this process the relevant clauses in the procedure and the guidance set out above will be considered, particularly where a complaint is against an onfield decision. In most instances this will be regarded as

final, as explicitly referenced in the Laws, and will likely result in rejection of the complaint. Decisions such as those relating to dismissals (Laws 29 – 39) will not be considered. Provision has however been made in the Complaints Procedure for extreme situations where a decision during a game may be queried, but only if compelling and cogent evidence is intimated at submission of the complaint. Submission of such evidence however does not guarantee a complaint onfield decision will proceed, if the evidence is deemed insufficient to outweigh the guidance set out above.

Social Media

CSMOA's Social Media Policy (publicly published on the CSMOA website) provides a framework for setting acceptable standards of behaviour expected from CSMOA *Members*, and wider users on our CSMOA social media platforms. *Members* of CSMOA are expected to be fully aware of the policy. All *Members* are expected to consider the Association's values in any social media postings, particularly those related to cricket and officiating, that they choose to make.

CSMOA Umpires Code of Conduct

CSMOA has set out a detailed code of conduct which sets out the expectations of how umpires should perform / behave at all times whether on or off field. This is published publicly on the CSMOA website (Document Library). It is likely that most complaints should specify in what manner the *Member* is considered to have breached the Code of Conduct. Note this Code of Conduct is limited to umpires at this time, and not *Members* acting in other roles for CSMOA at the time of the *incident*.

Submitting a complaint

A complaint lodged with the Secretary must follow the relevant clauses within the procedure (notably the time-limitation). Complaints must include the following items as a minimum:

- i. Name of the CSMOA *Member* who is subject to this complaint;
- ii. Date and/or time of the *incident*. If the *incident* occurred during a game, the over/ball it occurred in addition to date & time;
- iii. Location of the *incident*;
- iv. If the *incident* occurred during a game, the teams involved in the game and the competition/league and division.
- v. Brief summary of the event during the *incident*, with particular reference to the words & actions of the CSMOA *Member* involved.

- vi. Reference to how the CSMOA *Member* subject to the complaint has failed to uphold:
 - a) the Aims and Objectives of CSMOA (CSMOA Constitution);
 - b) the CSMOA Umpires Code of Conduct (note: currently only applicable to umpires);
 - c) or any other relevant standards, policies or procedures published by the CSMOA Management Committee (see CSMOA website)

The level of detail should be sufficient to enable the Secretary handling the Complaint to deem if the *Member* may have brought CSMOA or the game of cricket into disrepute, or the subject of the complaint is of a serious nature.