

ECB guidance on disciplinary proceedings that involve under-18s

Proceedings where an under-18 is a witness, alleged victim or alleged offender.

This guidance applies to all settings where an under-18 is involved in disciplinary matters as a witness, alleged victim, alleged offender or any other way.

The processes that are followed must pay due consideration to safeguarding and welfare issues.

No part of the processes should be oppressive or intimidating for the young person.

As soon as it becomes apparent that the process involves an under-18, the County Welfare Officer must be informed.

Any Panel should consider whether they need the child to attend in person, and may discuss this with the County Welfare Officer. When making this decision consideration should be given to:

- the age of the child;
- the seriousness of the offence;
- the evidence likely to be given;
- the possible effect on a child.

Parents should be included in any invitation.

The County Welfare Officer will ensure that the child is properly supported, and will either act as, or appoint, a suitable 'Welfare Chaperone' for the investigative/disciplinary process, in consultation with the child's parent(s).

The Welfare Chaperone is likely to be the child's Club Welfare Officer (Club WO), unless there is potential conflict of interest (e.g. the Club WO is the parent, or the Club WO is also involved in the incident.) If this is the case then a Club WO from another club may be asked to assist, or a League WO, or the County Welfare Officer will undertake the role.

The Welfare Chaperone should have no other role in the proceedings - their involvement is purely in regard to the welfare of the child. The Welfare Chaperone should liaise with the child and his/her family throughout, making sure the child is kept fully informed. He or she can act for more than one child at the same hearing if this is thought appropriate.

If a child does not wish to attend they cannot be compelled to do so.

The Welfare Chaperone will discuss the process with the child and his/her family to ensure they fully understand the procedure.

If the child chooses to give a statement to the panel then ordinarily that statement should be prepared in advance in written format. This can be written by the child or any other person. It is important that this statement is the child's views and words.

Putting things in place

If, when attending the Panel, the child is to be questioned regarding their behaviour or what they have witnessed, all involved should bear in mind the age and potential vulnerability of the child in such a setting. Questioning should be conducted in a considerate manner, and must not be oppressive, persistent, lengthy or demeaning. The Welfare Chaperone should ask the Chair of the panel to suspend proceedings immediately if they have any concerns about the manner or duration of questioning.

Where a child is found to have committed a disciplinary offence requiring potential sanction, consideration should be given to the child's age and understanding, as well as their experience of life and of cricket, before any sanctions are issued.

Where it is necessary for a report to be circulated (either within the relevant cricket league or even to the press), any individual under 18 years of age must not have their details published.