

COUNTIES MANUKAU CRICKET ASSOC (Inc)

COMPLAINTS AND JUDICIAL POLICY

PREAMBLE- The CMCA Board is responsible for overseeing the judicial and complaints processes, however, the CEO has the delegated authority to use his/her best endeavours to mediate and investigate all disputes and complaints and in the first instance will attempt to get the clubs/schools involved to self mediate if it is appropriate. Matters may not proceed further than the CEO if they can be resolved to the mutual satisfaction of all parties involved in the dispute, incident or complaint.

The CEO can escalate any matter to the CMCA Board at his/her discretion. Any affiliated body, or its member/s can ask for an issue or complaint to be heard by the Hearing Committee, the request must be officially sanctioned by an affiliated club- the CMCA Board will decide if a hearing is warranted and may decline the request.

THE DISCIPLINARY POWERS OF THE BOARD- are outlined in 4.4, 4.6 and 4.7 of the CMCA Constitution. The CMCA and NZC Codes of Conduct are relevant.

THIS POLICY COVERS- All junior and senior players involved in club/school or representative play under the auspices of CMCA (Inc) including games involving teams from other associations. The CMCA Board holds affiliated clubs responsible for the conduct and behaviour of its players, coaches, officials and parents/supporters and may use its disciplinary powers broadly if it believes the actions of associates of the club have brought discredit or disrepute to CMCA.

COMPLAINTS – there are 3 types of complaint that can be considered by this policy.

1. PROTESTS- breaches of playing or competition regulations where there hasn't been a ruling by an officially appointed qualified umpire. Such protests must be put in writing stating the reason for the protest and the regulation believed to have been breached. This includes player eligibility and the awarding of championship points. The protest must be received by CMCA no more than 72 hours after the completion of the match; otherwise the protest will be deemed invalid.

The CEO will carry out an investigation of the facts and use his/her delegated authority to make a ruling. It is not expected that complaints in this category will go to the Hearing Committee, but it may happen in some circumstances.

2. CODE OF CONDUCT- complaints about the conduct of an affiliated school/s, club/s or any of its member/s (including officials and supporters) prior to, during, or directly after a match controlled by CMCA. Such complaints must be in the approved written format and timeframe- the format and timeframe will be notified to all club secretaries at the commencement of each season and apply for the duration of that season.

CMCA may charge an individual, group of individuals, team or club with misconduct. If this happens a hearing will take place within 10 days of notification (during which time member/s may be suspended) of the charge. All endeavours will be made to find a time that is suitable to all parties. Once properly notified a member/s must appear before the Hearing Committee, if they fail to attend the hearing can proceed without them.

3. COMPLAINTS ABOUT NON-SELECTION TO CMCA REPRESENTATIVE TEAMS AND SQUADS. The only time such a complaint would be considered is if the complainant felt that CMCA had not followed its own selection criteria in terms of eligibility and process. This category of complaint is to ensure that CMCA complies with its own policies- it is NOT to reconsider or reselect a team or squad or to consider disappointment. The player would be required to be specific about the criteria and or eligibility rule that had been breached.

THE HEARING COMMITTEE. The committee will be appointed by the board case-by-case taking into account any possible or perceived conflicts of interest. The Hearing Committee will comprise of not less than three (3) members who may or may not be on the CMCA Board. One of the appointees will be chosen as convener.

If the individual charged with misconduct is contracted to NDCA / NZC an NZC appointed Code of Conduct Commissioner must be part of the panel of three (3)

The Hearing Committee will convene within the timeframe of this policy and will have the full delegated authority of the CMCA Board.

The Hearing Committee will have the power to

- Impose a fine and/or behaviour bond on any club/school or its member/s
- Censure a club/school or its members/s
- Suspend anybody or its member/s either indefinitely or for a set period from any competition, tournament or event controlled by CMCA

- Confirm, reverse or alter any result, allocation of points or title regarding any match or competition controlled by CMCA
- Require an undertaking of future good conduct
- Impose such other penalty or requirement as it may deem appropriate

The decision of the Hearing Committee will be announced at the Hearing and delivered in writing to all affected parties as soon as is practical.

The CMCA board may review any decision made by management.

ENDS