



Dated: 2022-10-24

P & D Decision regarding game #183 of 2022 BCMCL Season

**Background**

On August 22, 2022 we received report from umpires Jim Peters & Sabir H Sagor of misbehavior by Amandeep Dhindsa (ID 1241784) and Gurpreet Grewal (ID 1242246) both of Abbotsford Cricket Club.

On August 22, 2022 we, through the secretary, BCMCA requested a response from Abbotsford Cricket Club. Abbotsford Cricket Club did not provide a response.

**Decision**

Since we have not received a response from Abbotsford Cricket Club, we accept the allegations contained in the complaint as accurate. As such, per BCMCL Code of Conduct – Level 2.7 the two Abbotsford CC players Amandeep Dhindsa & Gurpreet Grewal shall be suspended from play in the BCMCL in any Division for the first three games of the Regular season of 2023.

We thank Mr Sanjay Joshi of Abbotsford CC for his personal apology to the umpires, following the Spirit of Cricket!

P&D Committee



## **British Columbia Mainland Cricket League**

[www.bcmcl.ca](http://www.bcmcl.ca)

Dated: August 5, 2022

Game # 2053 played between Kelowna Kamloops and North Shore (Premier Division)

### **Introduction**

Pursuant to Rule 61 of the Governing Rules the Protest and Discipline Committee of BCMCL ("P&D") has jurisdiction to deal with protests and reports of misconduct. In exercising this jurisdiction, the P&D has a wide discretion to control its process of decision-making. The exercise of such discretion is driven by fairness but the overarching emphasis is on upholding the BCMCL Code of Conduct.

Pursuant to Rule 72 of the Governing Rules P&D has the discretion to defer the effect of a final decision. Since P&D controls its own process and has the discretion to defer implementation of even the final outcome of a complaint, by necessary implication it can also exercise discretion to extend the time for providing a response in appropriate circumstances. At the request of Kelowna Kamloops, we granted them time until August 31, 2022 to provide a response to the allegations of misconduct made against 5 of their players.

In the meantime, we continued our independent investigation in to the allegations of misconduct at Game #2053. In that regard we obtained information from Mr. Ramandeep Khaira the neutral VCUSA umpire who officiated that game. We have decided not share that information with either of the involved clubs before we receive a detail response from Kelowna Kamloops Cricket Club as we do not want that their response be colored in any way by the information received from the umpire.

### **Decision**

As stated, above P&D has the duty to uphold the BCMCL Code of Conduct. In discharge of this duty and based on the information received from the neutral umpire we direct Northshore Cricket Club and Kelowna Kamloops Cricket Club to not play Amrik Rai(ID#1244702) and Ansh Tak (ID# 2642668), respectively in any BCMCL organized event including the 2022 Regular Season until a final decision is made on this protest.

Please note that a refusal or failure to comply with this direction will result in penalties against the offending club and its team captains.

P&D Committee



## **British Columbia Mainland Cricket League**

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### **BACKGROUND: Surrey United CC Protest re Game #810**

Surrey United CC has filed a protest about Game #810 played vs Delta Patriots II on 2022-08-28 per Section 79 of BCMCL Governing Rules. The Protest accuses Delta Patriots II for Stats Manipulation.

### **Investigation:**

Surrey Utd. CC. quotes the **Online Scorecard submitted by Delta Patriots** with regard to their Wicket-Keeper Harnet Singh Luthra ID #1729132. The online scorecard showed 3 dismissals by the Wicket-Keeper, but a **photo of the Surrey Utd. Batting Innings** shows that Justin Shergill was the only player who is listed as caught – keeper. Per the Photo, the other 2 are listed as caught, but they are not specified as caught by Wicket-Keeper.

Therefore they believe that this is a clear case of Stats Manipulation. Surrey United submitted the protest on September 03, 2022 at 9:45 PM.

The Protest is based on the uploading of the On-line match Scorecard to the BCMCL Statistician, seen on

2022-09-04. **However the date the Stat Sheet was not finalized till a later date – see below.**

### **In their reply, Delta Patriots explain that;**

- A) The official scores were not correctly uploaded by captain until September 6, 2022 at 10:14 PM.
- B) Since, official stat sheet was not sent to BCMCL Stats desk until Sep 6, 2022 - 10:45 PM , any scores uploaded before cannot be counted as OFFICIAL AND LOCKED.

Only once the stat sheet is uploaded and locked - can a stat manipulation protest be filed; if there were any differences between the match scorebook & the uploaded scorecard. The errors have now been corrected by Delta Patriots & only 1 catch is credited to the keeper's stats.

### **P & D DECISION (2022-09-07)**

We (P & D) are therefore forced into a decision where we have to deny the protest of Surrey United based on the fact that the Stats were not accepted by the BCMCL Statistician & the Protest was made per those un-approved Stats.



## British Columbia Mainland Cricket League

[www.bcmcl.ca](http://www.bcmcl.ca)

Dated: September 9, 2022

Northshore Cricket Club v Kelowna Kamloops Cricket Club Game # 2053 played July 16, 2022

On July 18, 2022, Northshore Cricket Club ("Northshore") made a complaint of assault against players of Kelowna Cricket Club ("Kelowna") during their game on Saturday, 16 July 2022. The game number on the complaint was incorrectly noted as 2035 in place of 2053. In their complaint, Northshore had requested action by the end of the same week in which they had made the complaint and had also notified us that the matter had been reported to RCMP. They had also indicated their willingness to attend an in person, online or telephonic hearing of this matter. In their complaint Northshore claims that Amrik Rai was "physically assaulted without any provocation" by 5 Kelowna players – more will be said about this claim later in this decision. (emphasis added)

On July 18, 2022 the chair of the P&D committee forwarded Northshore's complaint to Kelowna with a direction for a response with supporting evidence within seven days. On July 24, 2022 Kelowna requested an extension to provide their response in light of the ongoing RCMP investigation. Their request for extension was considered and approved by the P&D committee and the same was communicated to Kelowna. After granting the extension to Kelowna the P&D committee suspended Amrik Rai of Northshore and Ansh Tak of Kelowna on an interim basis pending investigation.

The decision to extend the time for Kelowna to provide a response was subsequently reversed by the management committee of BCMCA and Kelowna was directed to provide their response with supporting evidence by August 15, 2022. Kelowna provided a detailed response with supporting evidence which included photographs of the injuries sustained by their players allegedly at the hands of the Northshore players.

Once the response from Kelowna was received the chair of P&D committee invited both clubs to provide a list of their witnesses for interview. Both clubs provided names for their respective witnesses. On August 19, 2022 we notified Northshore that they should present their witnesses for an interview on August 23, 2022. Within a couple hours of that notification Northshore issued a demand that the chair of P&D recuse himself from this matter on account of a conflict of interest. Their request was refused. Within two hours of receiving the notification that their request for the P&D chair to recuse himself has been denied Northshore sent an email advising us that it intends to withdraw its complaint of assault against Kelowna and that the players of both clubs have reached an amicable resolution and all players have shaken hands and decided to put an end to their respective complaints. While we question the claim that all players were able to shake hands within two hours of receiving an email from the P&D committee - given their respective geographical locations - nothing much turns on this observation.

On August 22, 2022 Kelowna sent an email to us in which it provided an acknowledgement of the compromise; in that email Kelowna also acknowledged that this matter was now pending

for adjudication before us.

On August 23, 2022 we informed both clubs that a mutual resolution did not conclude our role in this matter. It was made clear to both clubs that once a complaint of misconduct is brought to our attention it is our obligation to investigate and fix accountability for any breach of BCMCL Code of Conduct. Both clubs were notified again that we will contact the witnesses identified by both clubs and asked both clubs to have their witnesses available on the date and time notified by us.

The witnesses offered by Northshore did not attend the scheduled interview on August 23, 2022. On August 24, 2022 we interviewed two of the witnesses offered by Kelowna, Ansh Tak and Garwinder Singh, the interviews lasted approximately an hour and were attended by two members of the P&D committee. However, details of the interviews were shared with all members of P&D. On August 25, 2022 we provided the additional information received from the neutral umpire to both clubs and both were given another opportunity to provide any additional information and evidence that they would like us to consider in this matter. Neither club provided any further information or evidence.

Based on the information received from the umpire, considering the reports of both clubs including the photographs we find that after his dismissal Amrik Rai turned back from around the gully area and approached Kelowna players gathered on the pitch to celebrate the dismissal waving his bat and hurling profanities. He then hit a Kelowna player, which we have inferred was Ansh Tak, Ansh then struck back. Northshore failed to disclose Amrik Rai's conduct in the initial complaint and maintained throughout that Amrik Rai was assaulted without any provocation. This was despite the benefit of the umpire's report, which states that it was Amrik Rai who charged towards the Kelowna players and punched a player – who we have determined was Ansh Tak. Northshore's failure to admit Amrik Rai's mistake despite evidence has lowered the overall credibility of their submission.

Both Northshore and Kelowna alleged assault by other members of each others club. While Kelowna club provided some evidence about the role of other Northshore players, Northshore failed to do so despite several opportunities. However, we did not find evidence to support all those allegations and the complaints regarding other players of both clubs, except Pavitar Singh Randhawa of Northshore, is dismissed.

During the course of our investigation we contacted Ravinder Paul of Kelowna who stated that he was assaulted by 4 Northshore players, he was punched and pulled, but he could only recognize Pavitar Singh Randhawa – “the bulky guy” out of those 4 players.

We have considered the previous P&D committee decision and subsequent appeal decision in Delta Patriots Cricket Club v Cosmos Cricket Club (2019) in which a similar situation arose where the batsman of Cosmos after facing a delivery walked back to the keeper and punched him. The previous P&D committee in that case issued a 2-year suspension to the batsman who had walked all the way back to the wicketkeeper started an argument with the wicketkeeper and punched him and a life ban to the batting team player who came running onto the pitch and punched a fielding team player who was trying to separate batsman and the wicketkeeper. A player from the fielding team who was punched was issued a six-game suspension and both captains were reprimanded. However, the appeal committee while upholding the suspension and life ban on the batting team players cancelled the suspension of the fielding team player and reversed the reprimand of both captains. The facts of that case are similar to the facts of the case before us.

In this case Mr. Rai was the aggressor, he turned around and walked back towards the fielding

team. It was only his conduct that precipitated the events that followed. We also find that Ansh Tak used unreasonable force in defending himself. Both players committed a level 4 offence under the BCMCL Code of Conduct. Based on Ravinder's evidence we find that Pavitar Singh Randhawa also committed a Level 4 offence under the BCMCL Code of Conduct.

In determining appropriate sanctions, the P&D committee has taken into account the prior record of the players involved. We have also taken in to account the young age of Ansh Tak and the fact that he was not the aggressor here. Based on the foregoing we suspend Amrik Rai for 2 -years (36 regular season games) and Ansh Tak for 6 games. Both players will get credit for the suspension served during the interim suspension period.

We suspend Pavitar Singh Randhawa for 9 games. His suspension is more than that of Ansh Tak because he ran on to the field and joined the assault, but less than Amrik Rai because he did not precipitate the situation.

We wish to state that the conduct of Amrik Rai was highly inappropriate and could have resulted in a longer suspension but we have considered this to be his first offence and as such have been lenient on him.

Any further infraction by any of these named players may result in higher penalties. We hope Amrik Rai, Pavitar Singh Randhawa and Ansh Tak will now own up their mistakes and ensure that they will follow BCMCA Code of Conduct in letter and spirit.

P & D Committee



## **British Columbia Mainland Cricket League**

[www.bcmcl.ca](http://www.bcmcl.ca)

Decision dated: August 1, 2022

### **P & D Decision regarding protest by Richmond CC re game #582 (2022-08-20 )**

#### **Background**

Richmond CC protested the unfair use of player Gaurav Khurana 1243222 by Surrey Utd. in the above game # 582. Interestingly, the same player has also been issued a second player ID 2817432 by BCMCL registration software. We have confirmed that players under ID # 1243222 and ID# 2817432 are one and the same person. Nothing much turns on the two separate IDs, which have now been fixed by the statistician.

#### **Investigation**

Mr. Khurana played 11 games for Surrey Utd II in Div. I & 1 game for Utd IV in Div. 5. He played for Div. 5 on August 20, 2022 during one of the last 3 games of the 2022 Regular Season. Surrey Utd. also agreed in their response to P&D that Mr. Khurana should not have played for division 5 team.

#### **Conclusion**

It is heartening to see that Surrey Utd. have made a rightful admission. Rule 28(d) is triggered for players coming down to play in the last few games of the season. In that scenario the player coming down must play the last 3 games in the lower division he is sent down to play. In this case the player came down from division 1 to division 5 on August 20, 2022 after that date div. 5 team for Surrey Utd. had only one game remaining so this was a breach of 28(d) as the player could not have played 3 games in div. 5.

Rule 28 (e) provides that a failure to comply with Rule 28(d) will result in forfeiture of the last three games.

The language of Rule 28(e) is mandatory so we have to forfeit game#582 to Richmond and the

same is ordered accordingly.

P&D Committee





## **British Columbia Mainland Cricket League**

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Dated: August 5, 2022

Game # 2053 played between Kelowna Kamloops and North Shore (Premier Division)

### **Introduction**

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In the meantime, we continued our independent investigation in to the allegations of misconduct at Game #2053. In that regard we obtained information from Mr. Ramandeep Khaira the neutral VCUSA umpire who officiated that game. We have decided not share that information with either of the involved clubs before we receive a detail response from Kelowna Kamloops Cricket Club as we do not want that their response be colored in any way by the information received from the umpire.

### **Decision**

As stated, above P&D has the duty to uphold the BCMCL Code of Conduct. In discharge of this duty and based on the information received from the neutral umpire we direct Northshore Cricket Club and Kelowna Kamloops Cricket Club to not play Amrik Rai(ID#1244702) and Ansh Tak (ID# 2642668), respectively in any BCMCL organized event including the 2022 Regular Season until a final decision is made on this protest.

Please note that a refusal or failure to comply with this direction will result in penalties against the offending club and its team captains.

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During the course of our investigation we contacted Ravinder Paul of Kelowna who stated that he was assaulted by 4 Northshore players, he was punched and pulled, but he could only recognize Pavitar Singh Randhawa – “the bulky guy” out of those 4 players.

We have considered the previous P&D committee decision and subsequent appeal decision in Delta Patriots Cricket Club v Cosmos Cricket Club (2019) in which a similar situation arose where the batsman of Cosmos after facing a delivery walked back to the keeper and punched him. The previous P&D committee in that case issued a 2-year suspension to the batsman who had walked all the way back to the wicketkeeper started an argument with the wicketkeeper and punched him and a life ban to the batting team player who came running onto the pitch and punched a fielding team player who was trying to separate batsman and the wicketkeeper. A player from the fielding team who was punched was issued a six-game suspension and both captains were reprimanded. However, the appeal committee while upholding the suspension and life ban on the batting team players cancelled the suspension of the fielding team player and reversed the reprimand of both captains. The facts of that case are similar to the facts of the case before us.

In this case Mr. Rai was the aggressor, he turned around and walked back towards the fielding

team. It was only his conduct that precipitated the events that followed. We also find that Ansh Tak used unreasonable force in defending himself. Both players committed a level 4 offence under the BCMCL Code of Conduct. Based on Ravinder's evidence we find that Pavitar Singh Randhawa also committed a Level 4 offence under the BCMCL Code of Conduct.

In determining appropriate sanctions, the P&D committee has taken into account the prior record of the players involved. We have also taken in to account the young age of Ansh Tak and the fact that he was not the aggressor here. Based on the foregoing we suspend Amrik Rai for 2 -years (36 regular season games) and Ansh Tak for 6 games. Both players will get credit for the suspension served during the interim suspension period.

We suspend Pavitar Singh Randhawa for 9 games. His suspension is more than that of Ansh Tak because he ran on to the field and joined the assault, but less than Amrik Rai because he did not precipitate the situation.

We wish to state that the conduct of Amrik Rai was highly inappropriate and could have resulted in a longer suspension but we have considered this to be his first offence and as such have been lenient on him.

Any further infraction by any of these named players may result in higher penalties. We hope Amrik Rai, Pavitar Singh Randhawa and Ansh Tak will now own up their mistakes and ensure that they will follow BCMCA Code of Conduct in letter and spirit.

P & D Committee



## **British Columbia Mainland Cricket League**

[www.bcmcl.ca](http://www.bcmcl.ca)

Decision dated: August 1, 2022

### **P & D Decision regarding protest by Richmond CC re game #582 (2022-08-20)**

#### **Background**

Richmond CC protested the unfair use of player Gaurav Khurana 1243222 by Surrey Utd. in the above game # 582. Interestingly, the same player has also been issued a second player ID 2817432 by BCMCL registration software. We have confirmed that players under ID # 1243222 and ID# 2817432 are one and the same person. Nothing much turns on the two separate IDs, which have now been fixed by the statistician.

#### **Investigation**

Mr. Khurana played 11 games for Surrey Utd II in Div. I & 1 game for Utd IV in Div. 5. He played for Div. 5 on August 20, 2022 during one of the last 3 games of the 2022 Regular Season. Surrey Utd. also agreed in their response to P&D that Mr. Khurana should not have played for division 5 team.

#### **Conclusion**

It is heartening to see that Surrey Utd. have made a rightful admission. Rule 28(d) is triggered for players coming down to play in the last few games of the season. In that scenario the player coming down must play the last 3 games in the lower division he is sent down to play. In this case the player came down from division 1 to division 5 on August 20, 2022 after that date div. 5 team for Surrey Utd. had only one game remaining so this was a breach of 28(d) as the player could not have played 3 games in div. 5.

Rule 28 (e) provides that a failure to comply with Rule 28(d) will result in forfeiture of the last three games.

The language of Rule 28(e) is mandatory so we have to forfeit game#582 to Richmond and the

same is ordered accordingly.

P&D Committee



**British Columbia Mainland Cricket League**

**www.bcmcl.ca**

### **Background**

Kings Cricket Club protested the result of game #838 played between their Team II and Surrey United Cricket Club Team V (the "Game") on the basis that Surrey United unfairly used Kamal Sealy BCMCL ID: 2700212 ("Mr. Sealy") (collectively the "Protest"). Surrey United Cricket Club was asked to respond in 7 days.

Surrey United Cricket Club provided a response to the Protest. In their response they state as follows:

*The Governing Rule # 28 - Fair*

*Use of Players - is not applicable in this situation for the following*

*reasons:*

*\* Kamal Sealy ID # 2700212 is a new player registered in the BCMCL with our club for 2022 season.*

*\* Sealy played his first ever game in BCMCL in Division 8 on June 4 against IndCan.*

*\* Sealy played his second BCMCL game in Division 8 on June 11 against Kings II.*

*\* Sealy scored 186 runs against Kings II in game # 838 simply due to the fact that Kings fielders dropped eight sitter catches! Sealy was dropped when he had a score of 4!*

*\* Sealy is not an established player in BCMCL.*

*\* Sealy, as a newly registered player in BCMCL, have the right to play in any BCMCL division of his choosing without breaching any of the BCMCL Governing Rules.*

*\* There is no rule in the BCMCL which dictates where a newly registered player should play.*



*\* On June 12, 2022, Sealy played his first game in Elite Division and thereafter he started playing in Elite Division.*

*\* Sealy did not switch divisions once he started playing in Elite Division. Therefore, no violation of Governing Rule # 28.*

In essence Surrey United's response is based on their interpretation of Rule 28. They interpret that "fair use of player" rule does not apply to new registrants to BCMCL. If their interpretation of the rule is determined to be incorrect there is no doubt - based on Surrey United's response that Mr. Sealy did not play 3 games in division eight before playing a game on June 12, 2022 in Elite division of Surrey United Cricket Club.

### **Decision**

The preamble of Rule 28 of the Governing Rules determines the applicability of that rule. The preamble clearly states that this rule is to deal with the situation of movement of players between teams within a club. It does not state that it is only to apply to "established players" and not to new registrants. It captures movement of any player between teams within a club.

Rule 28(a) of the Governing Rules applies to a player who is either sent down from a higher division of a club to a lower division of that club **or** is picked to play in a lower division (emphasis added). In both scenarios such a player must play a minimum of three (3) games in the lower division for which he was picked to play – if he is a new registrant, **or** sent down to play if the player is an established player from a higher division.

In Mr. Sealy's case he was picked to play in division eight, Team V of Surrey United Cricket Club. Since he was picked to play in a lower division, he should have played 3 games in that division. This did not happen.

We did an open source search of Mr. Sealy and discovered that Mr. Sealy until recently has been playing Club Cricket in Barbados. He was part of the Spartan Cricket Team of the Barbados Cricket Association. He participated in the Twenty20 Cup organised by the Barbados Cricket Association.

Even if we are wrong in our interpretation of Rule 28(a) that it applies to new registrants who are picked to play in a lower division, Surrey United Cricket Club has nevertheless breached Rule 28(a) as they registered Mr. Sealy for Team I but then picked him to play for Team V. As such he should have played three games for Team V and missed 3 games from Team I before he played for Team I, the team in which he was originally registered.

In the circumstances the Protest is allowed and the Game is awarded to Kings Cricket Club, Team II.

We wish to add that clubs should assess player calibre, especially of those who are established in other leagues and whose statistics are readily available before picking them to play in lower divisions of BCMCL.

Lastly, Surrey United Cricket Club's Team I game result is also questionable but no action is being taken on that result as we did not receive a protest for that game.

P&D Committee



**British Columbia Mainland Cricket League**

**www.bcmcl.ca**

Decision- 2022-005

Dated July 03, 2022

### **Background**

The Protest & Discipline committee of BCMCL ("P&D") received a complaint from Talha Patel (Surrey Stars CC Secretary) on June 20, 2022 regarding the unfair use of player Manish Sudiya BCMCL ID 1246278 of Surrey Hawks CC. The complaint from Talha Patel related to this rule, Manish must play 3 games in Division 2 before being able to play for any higher division again. Surrey Hawks didn't comply with this rule. Manish played May 29, and June 11 matches in Division 2 and then returned to play for Surrey Hawks II in Division 1 on June 18 VS Surrey Stars I. He later returned to play in Division 2 on June 19. Therefore, this proves he did not play 3 games before returning to division 1.

On June 21, 2022, Surrey Hawks CC was asked to reply within 7 days regarding this protest against their player by the BCMCL Secretary. On June 23, 2022, Surrey Stars Secretary Talha Patel sent another email to withdraw their protest against Manish Sudiya for unfair use of players.

### **Decision**

Surrey Stars CC withdrew the protest against Manish Sudiya. No further action was required. However, the applied fees \$100 for protest must be applied as they sent the request initially. League stat desk must follow up.



Decision 2022-004

Dated June 15, 2022

### **Background**

Protest & Discipline committee of BCMCL ("P&D") received complaint from Umpire Muhunthan Tetchanamurthy (Mr. Tetchanamurthy) regarding the conduct of your player Mr. Mani Sandhu (BCMCL ID 1245154) ("Mr. Sandhu"). The complaint from Tectchanamurthy related to the misconduct of Mr. Sandhu at the T10 Memorial tournament on May 11, 2022 at the Newton Cricket Ground. Additionally, we also received a complaint from the President of BCMCL. Mr. Harjit Sandhu about the the misconduct by your other player Mr. Rajesh Kumar at the same tournament. As such both complaints were before us for adjudication.

On May 25 2022 we asked your club to show cause why action should not be taken against the club and the two above named players. On May 27, 2022, on your request, your club was granted time until 4pm on June 1, 2022 to provide a response to the show cause notice. On May 31, 2022 you provided your response and we will address that below.

### **Mr. Mani Sandhu**

In relation to Mr. Sandhu, you stated that the club interviewed and investigated Mr. Sandhu and asked him to respond to the allegations contained in the complaint of Mr. Tetchanamurthy. You stated that Mr. Sandhu did not admit to being disrespectful towards anybody and was only "*seeking answer to the way things were handled*". You then explained the volunteer contributions of Mr. Sandhu to BCMCL. You also informed P&D that, at the club level, you suspended Mr. Sandhu for 1 game and assured us that he understands the seriousness of the issue and will not repeat his actions in the future. As part of our investigation we contacted the umpires in question, namely Mr. Tetchanamurthy, Anthony Emanuel, Kishor Morker, and Nimesh Shah. The contents of Mr. Tetchanamurthy's complaint were discussed with these individuals and their recollection of the events of May 11 was obtained.

Mr. Tetchanamurthy, Anthony Emanuel, Kishor Morker, and Nimesh Shah all confirmed that the contents of Mr. Tetchanamurthy's complaint were accurate. All of them individually narrated their personal observations of Mr. Sandhu's behaviour that day. The narrative of Anthony Emanuel, Kishor Morker and Nimesh Shah matched the contents of the complaint of Mr. Tetchanamurthy. Even though your response is not clear as to the outcome of the investigations undertaken at your club level and the findings therefrom the thing that stands out for the purposes of our decision is that even your internal investigations confirmed misconduct on part of Mr. Sandhu for which at the club level you handed down a 1 game suspension to Mr. Sandhu.

Based on the complaint, your club's response on behalf of Mr. Sandhu and our independent

conversations with the above-named umpires the P&D has concluded that Mr. Sandhu breached BCMCL Code of Conduct number 3.3 and 3.5. We have determined that, Mr. Sandhu's conduct did not constitute a breach of BCMCL Code of Conduct 4.2. Since Mr. Sandhu committed a level 3 offence under BCMCL Code of Conduct he's liable to face a suspension of minimum 3 games to a maximum of 8 games. Although P&D is not bound by results of internal investigations done by clubs on complaints received by P&D regarding their members or the internal sanctions imposed, we did take the internal sanctions imposed on Mr. Sandhu and his voluntary contribution to BCMCL into account in determining appropriate sanction for Mr. Sandhu's conduct. While deciding the quantum of punishment we also took into account Mr. Sandhu's good past conduct. Keeping all of this in mind the P&D committee suspends Mr. Sandhu for 3 games. This suspension will be effective immediately. Mr. Sandhu will receive a credit of the one game suspension he has already served under his club's internal process. As such he will have to serve a further 2 game suspension.

### **Rajesh Kumar**

Mr. Kumar openly misbehaved in public at the T10 memorial tournament. His conduct not only brought the overall reputation of the game in disrepute but also brought reputation of entire cricket community in disrepute. In your response with respect to Mr. Kumar's actions you state that his and the other team member's actions was "*in an attempt to get answers on why and how the game was awarded to Delta*". That may very well be the case, however, the way in which Mr. Kumar conducted himself and was not simply "*trying to get answers*". Mr. Kumar interrupted counsellor Nagra's speech, he aggressively tried to approach the mayor, and then stopped Mr. Nagra and alleged wrongdoings on the part of the BCMCL Special Events committee.

With respect to Mr. Kumar's conduct, we obtained information from BCMCL president Mr. Harjeet Sandhu who confirmed Mr. Kumar's misbehaviour during mayor's attendance and Mr. Kumar's misbehaviour with him personally. Since Mr. Kumar is a registered player permitted to participate in BCMCL events, he is bound by the BCMCL Code of Conduct. The BCMCL Code of Conduct states that no person who's bound by the Code of Conduct shall engage in disorderly conduct or improper behaviour such as using crude or abusive language, hand signals or other gestures, engaging in any form of conduct or behaviour detrimental to spirit of the game or likely to bring the game or BCMCL in to disrepute. The Code of Conduct applies to all BCMCL events. As such it applied to the T10 Memorial Cup. Based on the evidence obtained, Mr. Kumar breached BCMCL Code of Conduct 2.8 by publicly criticising a match related incident alleged to have occurred during the Newton Surrey's match with Delta, 3.5 for disorderly conduct and inappropriate behaviour in obstructing Counsellor Nagra's speech and attempting to aggressively approach the mayor at the T10 and code of conduct 4.2 by threatening Mr. Sandhu for reimbursement of the fee paid by your club for the tournament. Mr. Sandhu felt threatened by Mr. Kumar's actions such that he paid Mr. Kumar \$500 instead of \$300 – the actual fee paid for the tournament. As result of the above noted egregious conduct P&D bans Mr. Kumar for life from all BCMCL events. His ban will take effect immediately. If Mr. Kumar ever applies for a reconsideration of his life ban he must first deposit \$500 with BCMCL on account of repayment of the money he extorted from Mr. Sandhu on May 11, 2022.

**Playing Veerpal Khosa knowing he is banned for life by BCMCL**

While it is true that Mr. Khosa's friend Amy Virk had verbally requested a reconsideration of his life ban, BCMCL has not received any formal application from anyone to date for such a reconsideration. Your club knew last year that Mr. Khosa's ban was in full force and effect. This year, you submitted registration forms for your players in bulk to the league's statistician by email on April 18, 2022. Your club emailed Mr. Khosa's form without making thorough inquiries into his claims that "he had appealed to the president".

His form was sent as part of several forms by your club for player registration. As you know, BCMCL operates on an honour system whereby it is expected that member clubs will not engage in unfair or sharp practices and will not submit applications for players who are not eligible for registration with BCMCL for any reason. It is the responsibility of the club submitting an application for registering a player to verify the identity and eligibility of the player whose registration application is being submitted. The league statistician relies on clubs to have done their due diligence before submitting an application for registration. As explained later in this decision your club failed to perform its expected duty in this case. In your response you claim that Mr. Khosa informed you that he has appealed his life ban. As a long-standing member of BCMCL you should know that there is no provision for a second appeal in BCMCL Governing Rules. Moreover, you did not take any steps to verify the veracity of the verbal statements of Mr. Khosa. At a minimum you could have asked Mr. Khosa to provide proof of the appeal he claimed he has made or the proof of payment of the requisite appeal fee. It is clear you did not obtain any documents relating to the alleged appeal either at the time of accepting Mr. Khosa's application for submission to BCMCL or prior to responding to the within complaint. For further clarity, Mr. Khosa's life ban remains in full force and effect and we have not received any formal written request from Mr. Khosa to revoke or reduce his ban. Clubs have to be a gatekeeper for ensuring that only eligible player applications for registration are sent to BCMCL. In this instance your club miserably failed its gatekeeper role. Even though this is a serious issue we have decided not to issue any sanctions under the Bylaws against Newton Surrey CC at this time. However, any future infraction may not be looked at as kindly as in this case.

P&D Committee



**British Columbia Mainland Cricket League**

**www.bcmcl.ca**

Dear Club Official:

Meralomas have responded to your complaint. They essentially make two arguments:

1. Since the protest was made beyond 7 days, it is out of time;
2. The email notification regarding Rule 10 was sent on May 10, 2022 as such it did not apply to a game that was played April 30, 2022.

We have considered both grounds advanced by Meralomas.

We do not accede to their objection that the protest was made out of time as the 7 days run from the time the other side has notice of the infraction - which generally, but not always, occurs on the day of the game in question. However, this issue is not dispositive of this protest.

Rule 10 is clear in its operation. As soon as a player registered with BCMCL registers or plays for another "league" in the lower mainland his/her registration with BCMCL is forfeited. This means the day the player in question registered with LMS he was no longer a registered player of BCMCL. However, in this case since BCMCL did not convey the meaning and effect of Rule 10 to all clubs until May 10, 2022 we are unable to place fault with Meralomas in fielding that player in their game against your club on April 30, 2022.

Even though your protest is valid in as much as Meralomas should have been aware of Rule 10 and the principle that ignorance of law is no defence applies to them, we decline to penalise them for the April 30, 2022 infraction on the bases that Rule 10 notification was delayed until May 10, 2022 by BCMCL. However, had this player played in any BCMCL event post May 10, 2022 the result of this protest would have been different.

We also direct that your club will not be charged the protest fee for this protest.

We apologise for the delay in dealing with this matter and thank you for your patience.

P & D Committee

Dear President of Delta Raptors & Delta Patriots

Re: Letter from Delta Raptors President and Reply by Delta Patriots President;

The Protest & Discipline of the BCMCL has made the following decisions (In detail here):

Subject: Should a Junior participating in any BCMCL Competition be allowed to participate without permission of his/her 'BCMCL 'Home' club?

Delta Raptors asked the above question & Delta Patriots replied that in the T10 Competition by rules given to them, 'Every team must have 1 junior or woman player' & Players from different BCMCL clubs can merge and make one team to participate in T10, (Plus one junior player in playing 11 can be from any team).

Their contention was that neither the T10 rules nor the BCMCL Secretary informed them that permission from the 'Home' Club had to be obtained, before the Junior was allowed to play.

They contend that the BCMCL Governing rules did not apply to the T10 Competition. If so, a 'merged' team of two different clubs, would constitute unfair use of players per BCMCL Governing rules.

Neither, the complainant club or the Responding club have stated any clear intent for penalties to each-other, but are clearly looking for a definite decision from the BCMCL P&D moving forward.

The P&D have decided to deal with this important consideration for Cricket in the BCMCL:

- 1) Whether BCMCL Governing Rule 10 which deals with players registering for only one club, applies to ALL BCMCL competitions & activities?

Quoting Governing Rule 10: A player can register for ONLY ONE CLUB and this registration shall cover all BCMCL competitions & activities involving member Clubs until the beginning of the next yearly registration period. To the P&D Group, it is clear that Adult Players are registered as above.

- 2) Whether Junior players can register for more than one Club for playing in ANY BCMCL competition? Also can they do so without any guidelines or limitations?

Quoting Governing Rule 20: All junior players will be allowed to play for any other team/club PROVIDING PRIOR PERMISSION HAS BEEN OBTAINED ~~from~~ by the requesting club, from President or Secretary of the club with whom the junior is registered. (Grammar error corrected). To the P&D Group, since registrations for adults are restricted to one club in the BCMCL, it is also clear that Junior players may register for any other team/club, providing prior permission has been obtained as stated above. (Permission does not need to be in writing, though that is advisable).

- 3) The key topic is whether the BCMCL Governing rules apply to any special BCMCL Competitions. To the P&D Group, they do! However, 'there are usually two sides to a story'. It has always been a tradition in Cricket Regulations that MCC LAW is universal, except where specific Local Rules prevail.

For example in the BCMCL – every 'bouncer' bowled at a striker is a No Ball. This is not found anywhere else known to us. So it is specified clearly in BCMCL Playing Rules as it followed a Coroner's verdict.

Similarly any variance from the BCMCL Governing rule that juniors playing for another team other than his/her Home team, cannot do so without prior permission from the Home team, must have a variance statement in any special tournament indicating clearly that it is different from the Governing Rules. (This was not the case in the recent T10).



In the recent T10 Competition, it stated a variance from BCMCL Governing Rules: 2 BCMCL Teams could merge together for the T10 with the purpose of inter-club bonding. Also stated was that a Junior or Female player shall be part of each team for the purpose of inclusivity. However while a junior/female player was a specific requirement, an error of omission was made, that a junior must still have his 'home' club's permission to play on any particular team.

There are no fines, penalties or criticism of either Club involved in this issue. In fact we thank the originating club for bringing this up, which will clear up the use of juniors in any BCMCL competition. We also thank the responding Club for pointing out clearly, that BCMCL player insurance (purchased through Cricket BC) will follow any properly registered player whether senior or junior playing in any BCMCL organized competition!

### **Conclusion**

**BCMCL Governing Rules are applicable to any Cricket Competition or activity organized by the BCMCL, unless there is a specific variance from those Rules written in the Governing Rules of the special event or tournament.**

**Re Juniors;**

**A junior player per BCMCL Governing Rules must get prior permission to play for any other team other than his/her 'Home' team, unless specifically stated otherwise, in the special event or tournament.**

**P & D Decision on protest by West Vancouver CC re match #2068**

**Date: 2022-08-21**

The BCMCL Protest & Discipline Committee has investigated the above protest by West Vancouver. We have investigated the 2022 stats of Mr Utkarsh Dhavan – BCMCL ID 124675. North Shore CC was asked to provide a response to the above and have stated that they have followed Governing Rule 28 exactly.

**Background**

The BCMCL Governing Rules define Unfair use of any player by strictly referring to the playing stats of ONLY the Current Season. They do not establish the fair Division Level of a player by where is played the majority of his games during the previous year.

**Investigation**

As of 2022-08-14 BCMCL Stats show that Mr Utkarsh Dhavan played 8 games in the Premier Division in BCMCL 2021. No 2021 stats were seen for Mr Dhavan in Division 5. He had played in 2019 in the following Divisions: Div 1 – 11 games, Div 2 – 14 games, Div 5 – 1 game Div 7 – 5 games & 1 Playoff.

2022: Till Aug 14<sup>th</sup>, he had played **6 games in Div 5 & 11 games in Premier Div**. He also had Team Registration as North Shore III.

So the only consideration for the BCMCL P&D is whether he has followed the Governing Rule 28, in 2022. We have found that he played for **NS III – 2022 – 04-22, 05-01, 05-07, 05-15** (Abandoned)

And then he played for **NS III on -07-17, 07-30, 08-06, 08-13. (He played 3 at lower Div. (WV Agreed on protest date)**

Then for **NS I (Premier) 05-08, 05-14, 05-22, 05-29, 06-05-Abdnd. 06-12, 06-19, 06-26, 07-09, 07-10, 07-16, (We do not know from stats where Mr Dhavan played on 07-23 & 07-31). Then NS I - 08-07.**

28 a) When a player is sent down or picked to play in a lower division, he must play in that lower division for a minimum of three (3) games, and must miss three games from higher division prior to go back up to play again in top division.

**c) When a Lower Division player is picked to play in a higher division, and is then sent back to play in a lower division (ex; after 1 game), he must now stay in that Lower Division for a minimum of three (3) games.**

Since in **2022 Mr Dhawan was picked to play as a Div III player, that is his home division. He was promoted on 05-08, and stayed there till 07-16, he then came down to his Lower Division on 07-17 and stayed in that lower division till 08-06 (3 games as reported by WV).**

**Conclusion:**

Since Mr Utkarsh Dhavan began as a Lower Division player in 2022. Per BCMCL Governing Rule 28c, he can be promoted at will, but must stay for at least 3 games in the Lower Division on each occasion when demoted – which he did. **Protest from West Vancouver dated August 12, 2022 Is denied.**



**British Columbia Mainland Cricket League**

**www.bcmcl.ca**

Decision 2022-012

Dated August 2, 2022

### **Background**

Protest & Discipline committee of BCMCL ("P&D") received protest from Simarpreet Sidhu ("Mr. Sidhu"), Secretary, NorthShore Cricket Club regarding game 2088. The protest from Mr. Sidhu related to the result of the game 2088 played on July 9, 2022 at Mackin Park.

Mr. Sidhu alleged that VCUSA umpire failed to penalize 6 runs to Windies 1 Team for 50<sup>th</sup> over and the game resulted in win for Windies 1 team by 4 runs.

The protest from Mr. Sidhu related to BCMCL playing rules- Law 13 – which describes as follows:

*During the 2nd innings, if the 2nd fielding team fails to complete their 50 overs within 3.5 hrs. (With warnings as above, 6(six) runs will be credited immediately, by the umpires together, to the score of the team batting second, for every full 4 minutes of extra time taken.*

The example explaining the application of this rule is also stated in the same rule:

- *(Example: Play was scheduled to end at 7:20 pm. = No other unforeseen delays. There are 3 overs to bowl. At 7:24 pm the umpire signals to scorer to add 6 penalty runs to the batting total. At 7:28 pm the umpire awards another 6 penalty runs to the batting total. This causes the batting total to pass the other team's score. This match is won by Penalty Runs & batting wickets in hand). If no other delays **& 2 nd innings is still** on at 7:24 = +6 penalty runs, 7:28 = +6 penalty runs, 7:32 = +6 penalty runs etc. added to Batting innings. **(emphasis added)***

On July 18, 2022, we requested the VCUSA secretary to obtain and provide the report from the umpires concerned on this game result. Umpires report was received on July 27, 2022 submitted by the attending umpire. The attending umpire confirmed that he initially added 10 minutes to the allotted time for delays and additional breaks. He confirmed that the 50<sup>th</sup> over completed at 7:43 pm – a fact also noted in the protest. He further stated that additional 30 seconds to a minute were wasted as a result of Northshore batsmen's repeated inquiries about adding a further 6 run penalty. In essence the umpire determined, in his discretion, that Northshore

contributed a further 30 seconds to a minute delay to the completion of the innings as such he did not award a further 6 run penalty.

### **Decision**

As the umpire provided a detailed time-stamped report for this match, the game result was based upon BCMCL Playing Rule 13.

BCMCL Playing Rule 13 states that penalty runs must be AWARDED for every 4 full minutes of extra time taken absent “unforeseen circumstances”.

Windies 1 Team took 2 minutes to finish their 49<sup>th</sup> over and started and completed the 50<sup>th</sup> over by 7:43 pm. They had to complete the innings in under 4.5 to 5 minutes of 7:37 pm (given the addition of 30 seconds to a minute for delay attributed to Northshore batsmen) and they did that.

To further explain our decision, we will insert the facts of this case to the example cited in Rule 13 of the Playing Rules:

The game was scheduled to end at 7:35 pm (with the added 10 minutes). At 7:35pm there were 3 overs to be bowled. At 7:39 pm the umpire signaled 6 penalty runs to be added to the batting total since the innings was still on. The second innings ended at 7:43 pm – since the second innings was not on past 7:44 pm – given the addition of a further 30 seconds to a minute - a further 6 run penalty did not apply.

To understand this rule in another way, we will provide another example – assume that the 50<sup>th</sup> over started at 7:35 the bowling team had to complete that over before 7:39 pm to avoid the penalty. If they completed that 50<sup>th</sup> over before 7:39 pm no penalty runs would have been added, because the innings would not have been on at 7:39 pm.

Simply put this rule means that if the innings is still ongoing, absent unforeseen circumstances, at the completion of every 4- minute mark after the scheduled time of play 6 penalty runs would be applied. Here the innings was on at the first 4-minute extra time mark but was not on at the second 4-minute extra time mark (extended by 30 seconds to a minute to account for Northshore delay).

Based on the foregoing this protest from NorthShore Cricket Club is denied.



**British Columbia Mainland Cricket League**

[www.bcmcl.ca](http://www.bcmcl.ca)

Dated: August 5, 2022

Game # 2053 played between Kelowna Kamloops and North Shore (Premier Division)

### **Introduction**

Pursuant to Rule 61 of the Governing Rules the Protest and Discipline Committee of BCMCL ("P&D") has jurisdiction to deal with protests and reports of misconduct. In exercising this jurisdiction, the P&D has a wide discretion to control its process of decision-making. The exercise of such discretion is driven by fairness but the overarching emphasis is on upholding the BCMCL Code of Conduct.

Pursuant to Rule 72 of the Governing Rules P&D has the discretion to defer the effect of a final decision. Since P&D controls its own process and has the discretion to defer implementation of even the final outcome of a complaint, by necessary implication it can also exercise discretion to extend the time for providing a response in appropriate circumstances. At the request of Kelowna Kamloops, we granted them time until August 31, 2022 to provide a response to the allegations of misconduct made against 5 of their players.

In the meantime, we continued our independent investigation in to the allegations of misconduct at Game #2053. In that regard we obtained information from Mr. Ramandeep Khaira the neutral VCUSA umpire who officiated that game. We have decided not share that information with either of the involved clubs before we receive a detail response from Kelowna Kamloops Cricket Club as we do not want that their response be colored in any way by the information received from the umpire.

### **Decision**

As stated, above P&D has the duty to uphold the BCMCL Code of Conduct. In discharge of this duty and based on the information received from the neutral umpire we direct Northshore Cricket Club and Kelowna Kamloops Cricket Club to not play Amrik Rai (ID#1244702) and Ansh Tak (ID# 2642668), respectively in any BCMCL organized event including the 2022 Regular Season until a final decision is made on this protest.

Please note that a refusal or failure to comply with this direction will result in penalties against the offending club and its team captains.

P&D Committee



Dated July 10, 2022

## Surrey United Protest against Newton Surrey

Surrey United protested the result of game #1017 played between Surrey United Cricket Club ("Surrey United") and Newton Surrey Cricket Club ("Newton Surrey") on May 21, 2022 on the basis that Newton Surrey played, Prabhpreet Bhullar (player ID 1241045) who was showing in active on the BCMCL website. As such Surrey United claims that Newton Surrey played an unregistered player.

Surrey United have also alleged that the scoresheet submitted by Newton Surrey for this game incorrectly records Sukhpreet Singh as the wicketkeeper for this game. They allege that it was Prabhpreet Bhullar who had kept wickets in this game and not Sukhpreet.

Surrey United's complaint was sent to Newton Surrey for a response. In their response dated June 3, 2022 Newton Surrey states that Prabhpreet Bhullar's registration form was sent to BCMCL on March 15, 2022 and that he is a registered player with BCMCL.

With respect to incorrect scorecard submission Newton Surrey states that the individual who entered the score for this game did not know that their regular wicketkeeper Sukhpreet did not keep wickets due to an injury in this game and the person who entered the score could not discern from the score sheet provided by Surrey United that Prabhpreet Bhullar and not Sukhpreet was keeping wickets for this game. In essence they say that had the scoresheet stated that Sukhpreet had taken a catch in the outfield the person entering the scores on BCMCL database would have picked up on the fact that Sukhpreet was not keeping wickets in that game.

## **Decision**

### **Playing an unregistered player**

We independently verified with the BCMCL statistician about the receipt of the registration form for Prabhpreet Bhullar. During the course of our inquiry BCMCL statistician, Mr. Qasim Keswani informed us that there was a glitch in the BCMCL

website such that many active players were being shown as an active. He further confirmed that the registration form for Prabhpreet Bhullar was received in March 2022 and he was registered player as at May 21, 2022. Since Prabhpreet Bhullar was a registered player with BCMCL, Surrey United's complaint against Newton Surrey for playing an unregistered player is dismissed.

### **Incorrect reporting of scores by Newton Surrey to BCMCL**

The explanation provided by Newton Surrey is not convincing because the individual who uploaded the score on behalf of Newton Surrey ought to have known or should have been informed by the captain of Newton Surrey team that Sukhpreet did not keep wickets in this game. Despite this observation we are of the view that the conduct of Newton Surrey does not rise to the level of misconduct in the instant case, we consider this to be an anomaly which was caused due to no indication on the scoresheet that Sukhpreet was not keeping wickets in the questioned game and lack of inquiry by the person inputting the scores on behalf of Newton Surrey.

The error made by the person uploading the score was the result of his negligent assumption that Sukhpreet being the regular wicketkeeper kept wickets in this game too. However, we remind Newton Surrey that it is their obligation to ensure the accuracy of the scorecard and if they neglect to fulfil their obligation going forward, a similar complaint in the future may result in a different outcome.

We request BCMCL statistician to correct the anomaly in the scorecard for game #1017 by recording all dismissals involving the wicketkeeper under Prabhpreet Bhullar's name.

P&D Committee



Decision 2022-006

Dated July 03, 2022

**Background**

Protest & Discipline committee of BCMCL ("P&D") received complaint from Waqar Ahmed, Secretary, ACC, regarding the conduct of your player Rubel Ahmed (BCMCL ID 893010) The complaint from Waqar Ahmed related to the misconduct at the Game 240 on June 12, 2022 at the Crescent South Ground. As such the complaint was before us for adjudication.

On June 27 2022 we asked your club to show cause why action should not be taken against the above-named players. On June 28, 2022 you provided your response and we will address that below.

**Mr. Rubel Ahmed**

In relation to Mr. Ahmed, you stated in your club response on June 28,2022 that the club has asked player's statement on these allegations contained in the complaint of Mr. Waqar Ahmed. The player statement stated he did not admit to being disrespectful towards the player Umad Cheema and was only worried about "*safety of his players as a Captain*". He then explained that the batsmen got out and pointed fingers at us and said "I'll see you outside".

As part of our investigation, we contacted the umpires in question, from Surrey Warriors Cricket Club. The contents of Umpires reports were received and their recollection of the event of June 12 was obtained. Both Umpires present at the game individually confirmed that the contents of Mr. Waqar Ahmed's complaints were accurate. Both of them individually narrated their personal observations of Mr. Rubel Ahmed's behaviour that day.

Based on the complaint and independent reports by the above-named umpires the P&D have concluded that Mr. Rubel Ahmed breached BCMCL code of conduct number 1.3 - "*Use language that is obscene, offensive and insulting and/ or the making of an obscene gesture*".

While determining appropriate sanctions for Mr. Rubel Ahmed' conduct, P & D committee accounts in his past record as well. Keeping all of this in mind the P&D committee **officially reprimands** Mr. Rubel Ahmed for breach of rules. Also, Mr. Rubel Ahmed being as Captain of the team, breached Spirit of the Game which involves Respect for the opponents. Any repeated misconduct by Mr. Rubel Ahmed will result in further suspension of games or fines.

Furthermore, P & D recommends that Mr. Rubel Ahmed must issue a written apology to Mr. Umad Cheema of ACC to demonstrate that he appreciates and understands the consequences of his conduct.

P & D Committee







**British Columbia Mainland Cricket League**

**www.bcmcl.ca**

Decision 2022-013

Dated August 23, 2022

Background :\_

The Protest & Discipline committee of BCMCL (“P&D”) received a protest/complaint from Stephan Croos, Captain, West Vancouver Team 6 regarding the game 664 result. The protest from Stephan Croos related to the result of the game 664 played on July 19, 2022 at Sperling South. Mr. Croos alleged that Surrey United umpires failed to complete the match result and awarded the game result to Burnaby Windies 1 team after 9.3 overs.

On July 27, 2022, P & D committee also received match report from Shailander Rawat, Captain Burnaby Windies 1 Team which explained the incidents happened during game 664. P & D asked for extended umpires report from Surrey United umpires for game 664 on August 1, 2022 as their initial umpires report were not providing enough information on this match situation.

P & D received umpires report on August 19, 2022. Decision As per umpire's report, during the game there have been several incidents where players from West Vancouver cricket team players verbally and physically abused the umpires. The players in concern are: Stephan Croos (1241474), Charith Ariyaratne (1240602), Nethmal Perera (1244547) were involved in verbally abusing the umpires and Viraj Dhananjaya (2634015) was identified as physically abusing one of the umpire. Based on the complaint and independent reports by the above-named umpires the P&D have concluded that Stephan Croos, Charith Ariyaratne and Nethmal Perera breached BCMCL code of conduct number 1.3 - “Use language that is obscene, offensive and insulting and/ or the making of an obscene gesture”.

While determining appropriate sanctions for these players conduct, P & D committee accounts in his past record as well. Keeping all of this in mind the P&D committee officially reprimands Stephan Croos, Charith Ariyaratne and Nethmal Perera for breach of rules. Also, Stephan Croos being as Captain of the team, breached Spirit of the Game which involves Respect for the opponents. Any repeated misconduct by Stephan Croos will result in further suspension of games or fines.

Reg. Viraj Dhananjaya (2634015): Based on the complaint and independent reports by the abovenamed umpires the P&D have concluded that Viraj Dhananjaya breached BCMCL code of conduct number 2.3 - “Engage in inappropriate and deliberate physical contact with other players or officials in the course of play”. P&D committee officially suspends Viraj Dhananjaya (2634015) for 1 game. Reg. Decision of the Game 664: Surrey United umpires were supposed to finish the result of the game. If they were verbally and physically abused by players, they were supposed to report the players later on.

As per BCMCL Playing rules, "For all divisions: To constitute a match, both teams must have the opportunity to face a minimum of 20 overs, subject to an innings not being completed (i.e. all out) before a minimum of 20 overs are bowled. If either team has not had the opportunity to face 20 overs, then the match is deemed to have been abandoned." Hence, the result of this game is ABANDONED and points must be shared equally between West Vancouver 6 and Burnaby Windies 1 team.



## British Columbia Mainland Cricket League [www.bcmcl.ca](http://www.bcmcl.ca)

Dated: September 9, 2022

Northshore Cricket Club v Kelowna Kamloops Cricket Club Game # 2053 played July 16, 2022

On July 18, 2022, Northshore Cricket Club ("Northshore") made a complaint of assault against players of Kelowna Cricket Club ("Kelowna") during their game on Saturday, 16 July 2022. The game number on the complaint was incorrectly noted as 2035 in place of 2053. In their complaint, Northshore had requested action by the end of the same week in which they had made the complaint and had also notified us that the matter had been reported to RCMP. They had also indicated their willingness to attend an in person, online or telephonic hearing of this matter. In their complaint Northshore claims that Amrik Rai was "physically assaulted without any provocation" by 5 Kelowna players – more will be said about this claim later in this decision. (emphasis added)

On July 18, 2022 the chair of the P&D committee forwarded Northshore's complaint to Kelowna with a direction for a response with supporting evidence within seven days. On July 24, 2022 Kelowna requested an extension to provide their response in light of the ongoing RCMP investigation. Their request for extension was considered and approved by the P&D committee and the same was communicated to Kelowna. After granting the extension to Kelowna the P&D committee suspended Amrik Rai of Northshore and Ansh Tak of Kelowna on an interim basis pending investigation.

The decision to extend the time for Kelowna to provide a response was subsequently reversed by the management committee of BCMCA and Kelowna was directed to provide their response with supporting evidence by August 15, 2022. Kelowna provided a detailed response with supporting evidence which included photographs of the injuries sustained by their players allegedly at the hands of the Northshore players.

Once the response from Kelowna was received the chair of P&D committee invited both clubs to provide a list of their witnesses for interview. Both clubs provided names for their respective witnesses. On August 19, 2022 we notified Northshore that they should present their witnesses for an interview on August 23, 2022. Within a couple hours of that notification Northshore issued a demand that the chair of P&D recuse himself from this matter on account of a conflict of interest. Their request was refused. Within two hours of receiving the notification that their request for the P&D chair to recuse himself has been denied Northshore sent an email advising us that it intends to withdraw its complaint of assault against Kelowna and that the players of both clubs have reached an amicable resolution and all players have shaken hands and decided to put an end to their respective complaints. While we question the claim that all players were able to shake hands within two hours of receiving an email from the P&D committee - given their respective geographical locations - nothing much turns on this observation.

On August 22, 2022 Kelowna sent an email to us in which it provided an acknowledgement of the compromise; in that email Kelowna also acknowledged that this matter was now pending for adjudication before us.

On August 23, 2022 we informed both clubs that a mutual resolution did not conclude our role in this matter. It was made clear to both clubs that once a complaint of misconduct is brought to our attention it is our obligation to investigate and fix accountability for any breach of BCMCL Code of Conduct. Both clubs were notified again that we will contact the witnesses identified by both clubs and asked both clubs to have their witnesses available on the date and time notified

by us.

The witnesses offered by Northshore did not attend the scheduled interview on August 23, 2022. On August 24, 2022 we interviewed two of the witnesses offered by Kelowna, Ansh Tak and Garwinder Singh, the interviews lasted approximately an hour and were attended by two members of the P&D committee. However, details of the interviews were shared with all members of P&D. On August 25, 2022 we provided the additional information received from the neutral umpire to both clubs and both were given another opportunity to provide any additional information and evidence that they would like us to consider in this matter. Neither club provided any further information or evidence.

Based on the information received from the umpire, considering the reports of both clubs including the photographs we find that after his dismissal Amrik Rai turned back from around the gully area and approached Kelowna players gathered on the pitch to celebrate the dismissal waving his bat and hurling profanities. He then hit a Kelowna player, which we have inferred was Ansh Tak, Ansh then struck back. Northshore failed to disclose Amrik Rai's conduct in the initial complaint and maintained throughout that Amrik Rai was assaulted without any provocation. This was despite the benefit of the umpire's report, which states that it was Amrik Rai who charged towards the Kelowna players and punched a player – who we have determined was Ansh Tak. Northshore's failure to admit Amrik Rai's mistake despite evidence has lowered the overall credibility of their submission.

Both Northshore and Kelowna alleged assault by other members of each others club. While Kelowna club provided some evidence about the role of other Northshore players, Northshore failed to do so despite several opportunities. However, we did not find evidence to support all those allegations and the complaints regarding other players of both clubs, except Pavitar Singh Randhawa of Northshore, is dismissed.

During the course of our investigation we contacted Ravinder Paul of Kelowna who stated that he was assaulted by 4 Northshore players, he was punched and pulled, but he could only recognize Pavitar Singh Randhawa – “the bulky guy” out of those 4 players.

We have considered the previous P&D committee decision and subsequent appeal decision in Delta Patriots Cricket Club v Cosmos Cricket Club (2019) in which a similar situation arose where the batsman of Cosmos after facing a delivery walked back to the keeper and punched him. The previous P&D committee in that case issued a 2-year suspension to the batsman who had walked all the way back to the wicketkeeper started an argument with the wicketkeeper and punched him and a life ban to the batting team player who came running onto the pitch and punched a fielding team player who was trying to separate batsman and the wicketkeeper. A player from the fielding team who was punched was issued a six-game suspension and both captains were reprimanded. However, the appeal committee while upholding the suspension and life ban on the batting team players cancelled the suspension of the fielding team player and reversed the reprimand of both captains. The facts of that case are similar to the facts of the case before us.

In this case Mr. Rai was the aggressor, he turned around and walked back towards the fielding team. It was only his conduct that precipitated the events that followed. We also find that Ansh Tak used unreasonable force in defending himself. Both players committed a level 4 offence under the BCMCL Code of Conduct. Based on Ravinder's evidence we find that Pavitar Singh Randhawa also committed a Level 4 offence under the BCMCL Code of Conduct.

In determining appropriate sanctions, the P&D committee has taken into account the prior record of the players involved. We have also taken in to account the young age of Ansh Tak and the fact that he was not the aggressor here. Based on the foregoing we suspend Amrik Rai for 2 - years (36 regular season games) and Ansh Tak for 6 games. Both players will get credit for the suspension served during the interim suspension period.

We suspend Pavitar Singh Randhawa for 9 games. His suspension is more than that of Ansh Tak because he ran on to the field and joined the assault, but less than Amrik Rai because he

did not precipitate the situation.

We wish to state that the conduct of Amrik Rai was highly inappropriate and could have resulted in a longer suspension but we have considered this to be his first offence and as such have been lenient on him.

Any further infraction by any of these named players may result in higher penalties. We hope Amrik Rai, Pavitar Singh Randhawa and Ansh Tak will now own up their mistakes and ensure that they will follow BCMCA Code of Conduct in letter and spirit.

P & D Committee



Decision # 2022 - 014

Dated: October 9, 2022

### **Background**

Complaint by Ravi Holani (ID# 1406243) of West Vancouver CC against Dennis Emmanuel Anthony (ID# 1241901).

On August 6, 2022 Mr. Holani through his club secretary made a complaint against Mr. Anthony for misbehaviour. BCMCA secretary forwarded the complaint to West Coast Tamil CC on September 19, 2022 for reply.

On September 23, 2022 West Coast CC responded to the complaint. In their response West Coast Tamils, while apologizing to Mr. Holani, deny any intended misbehaviour by Mr. Anthony and claim that the complaint is a result of misunderstanding between the two players.

### **Decision**

We have reviewed the complaint, the reply and the long history of Mr. Anthony in BCMCL. The complaint alleges a subjective conclusory statement of misbehaviour by Mr. Anthony without specifying what was said or done by him. Given the lack of specificity we are unable to conclude that Mr. Anthony misbehaved or made an inappropriate comment about Mr. Holani's spouse.

The second allegation of misbehaviour, although specified, does not rise to a level requiring a sanction or reprimand. We feel it was a distasteful comment and Mr. Anthony should be careful about his choice of words going forward.

Based on the foregoing the complaint is dismissed.

P&D Committee