

DISPARITY REGULATIONS



**England and Wales Cricket Board, Lord's Cricket Ground
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1 DEFINITIONS

In these Disparity Regulations (“**Regulations**”):

Club means any cricket club or team involved in Recreational Cricket that is affiliated to a League, Recreational Cricket Board and/or the ECB.

Cricket Organisation means any Recreational Cricket Board, Tier 3 County, the NCCA, National County Club, League or Club.

Cricket Regulator means the body responsible for investigating and prosecuting breaches of the ECB’s rules and regulations.

Discrimination Legislation means the Equality Act 2010.

Disparity means the difference between one player’s strength, skill and/or physique when compared to the strength, skill and/or physique of another player or players playing at the same or equivalent level of the game, in particular any relevant age group or category, which has a significant effect on the safety of the players concerned or the safety of player(s) around them.

ECB means the England and Wales Cricket Board Limited.

Effective Date means 11 March 2025.

Hundred Team means any of the teams from time to time playing in The Hundred.

The Hundred means the ECB’s domestic cricket competition in a “100-ball” format.

Law means any of the Laws of Cricket as set by the Marylebone Cricket Club.

League means any league or other organisation running cricket competitions in Recreational Cricket.

National County Club means any National County Cricket Club which plays in the competitions organised by the NCCA.

NCCA means the National Counties Cricket Association.

Professional County Club means any of the clubs and/or companies from time to time listed in Schedule A to the ECB’s articles of association and/or any county cricket club from time to time playing in the County Championship and/or the Tier 1 Competitions and/or the Tier 2 Competitions.

Recreational Cricket means all cricket activities carried out under the jurisdiction of the ECB which are not carried out by: (i) the England Men’s or England Women’s teams, (ii) Professional County Clubs; or (iii) Hundred Teams. For the avoidance of doubt, Recreational Cricket includes the Tier 3 Competitions.

Recreational Cricket Board means a body designated as such by the ECB which is responsible for the organisation of recreational cricket and the development of cricket generally within a county and such other areas (if any) as may be agreed by the ECB.

Safety Panel means the panel convened from time to time by the ECB to consider applications made in accordance with Regulation 5 of these Regulations concerning a potential Disparity.

Safety Panel Chair means the person appointed to chair the Safety Panel from time to time (or their nominee).

Serious Injury means any injury that can be sustained during a course of a cricket match or training session that requires urgent medical attention, including but limited to a serious head or neck injury, eye injury, spinal injury, fractured or broken bone(s), the loss of bodily function or internal injury.

Tier 1 Competitions means any women's domestic cricket competitions designated by the ECB as being a "Tier 1" competition, which, as at the Effective Date, includes the T20 Blast Women's Competition and the One Day Cup Women's Competition.

Tier 2 Competitions means any women's domestic cricket competitions designated by the ECB as being a "Tier 2" competition, which, as at the Effective Date, includes the T20 Blast Women's League 2 and the One Day Cup Women's League 2.

Tier 3 Competitions means any women's domestic cricket competitions designated by the ECB as being a "Tier 3" competition, which, as at the Effective Date, includes the T20 Blast Women's League 3 and the One Day Cup Women's League 3.

Tier 3 County means a Recreational Cricket Board which (i) operates in a county without a Professional County Club and (ii) runs a team which participates in the Tier 3 Competitions.

UK GDPR has the meaning given to it in the Data Protection Act 2018.

2 INTRODUCTION

- 2.1 These Regulations are intended to minimise the potential safety risk arising from Disparity between participants in Recreational Cricket and to assist participants and Cricket Organisations in dealing with any cases of Disparity.
- 2.2 Where a player's strength, skill and/or physique is greater or less than other players at the same standard of competition, this can give rise to a risk of Serious Injury for that player, their teammates or opposition players. A highly skilled bowler may be able to consistently pitch a ball directly at the striking batter, while a physically dominant batter may be able to repeatedly hit powerful shots that result in accelerated ball speed through the air, potentially posing a risk to fielders and the bowler on the follow-through. Increased bowling speed can also increase the speed of the ball off the bat if a shot is played.
- 2.3 The Regulations have been designed with safety as their priority but should be used to ensure that (wherever possible) players are able to participate in Recreational Cricket, even if this requires additional safety measures to be put in place.
- 2.4 Whenever a participant, match official or Cricket Organisation is applying the measures set out in Regulation 4 to address a Disparity, they must not take any action which would amount to unlawful discrimination as prohibited by the Equality Act 2010 and/or the ECB's Anti-Discrimination Regulations. Any allegation that there has been a breach of the Anti-Discrimination Regulations will be referred to the Cricket Regulator.

3 SCOPE

- 3.1 These Regulations apply to all Cricket Organisations, players, match officials and representatives of Cricket Organisations from the Effective Date.
- 3.2 These Regulations take precedence over Regulation 3 (Eligibility of Junior Cricketers and Playing Out of Age Group) of the ECB Recreational Safety Regulations, and any regulations, rules or policies of a Cricket Organisation governing player eligibility (to the extent they are inconsistent). The fact that a young player may be permitted to play above (or below) their age group category, or in open age cricket, by any of those rules, does not mean that Disparity cannot arise in respect of that player as compared with other players playing at the same level of the game, which should be dealt with in accordance with these Regulations.
- 3.3 Similarly the fact that a player may be permitted to play in certain categories of cricket by the ECB Gender Player Eligibility Regulations does not mean that Disparity cannot arise in respect of that player's participation. A player's general eligibility to participate in Recreational Cricket is always subject to any Disparity that might arise from their participation in a specific training or match environment, which should be dealt with in accordance with these Regulations.
- 3.4 The ECB will convene any Safety Panel required under the Regulations. The role of the Safety Panel is to consider any cases of Disparity which cannot be addressed in accordance with the mechanisms outlined in Regulation 4.

4 LOCAL MEASURES TO ADDRESS DISPARITY

- 4.1 Disparity in Recreational Cricket may arise in a number of ways, including but not limited to a player's participation in:
- 4.1.1 an individual match (on the basis of the comparative strength, skill and/or physique of their opponents);
 - 4.1.2 training sessions for a particular Club, National County Club or Tier 3 County (on the basis of the comparative strength, skill and/or physique of their teammates); or
 - 4.1.3 a particular League (on the basis of the general standard of players' strength, skill and/or physique across that League).
- 4.2 Cricket Organisations, players and match officials must attempt to address Disparity in Recreational Cricket in the first instance through the following means:
- 4.2.1 player selection by the relevant Cricket Organisations;
 - 4.2.2 umpire adjudication regarding the safety of the conditions of play, in accordance with the following Laws of Cricket:
 - (a) 2.7 (Fitness for play);
 - (b) 2.8 (Suspension of play in dangerous or unreasonable circumstances);
 - (c) 8.3.4 (The bails);
 - (d) 41.6 (Bowling of dangerous and unfair short pitched deliveries);

- (e) 41.7 (Bowling of dangerous and unfair non-pitching deliveries) and
 - (f) 42.3 (Throwing the ball at a player, umpire or another person in an inappropriate and dangerous manner);
- 4.2.3 the use of protective equipment by players playing against the stronger/more skilled player, and umpires where appropriate, including but not limited to helmets, neck guards, arm guards, chest guards, leg pads/guards or groin protectors for players and chest guards, helmets or arm guards for umpires. Note that the wearing of a helmet and groin protector is mandatory in certain situations, as prescribed by Regulation 4 of the ECB Recreational Cricket Safety Regulations. For recommendations on the different types of protective equipment that can be worn in cricket, please refer to the ECB's Recreational Cricket Safety Guidelines;
- 4.2.4 in order to mitigate disparity in relation to bowling, umpires and team managers could manage the length of bowling (for example by asking for the ball to be 'pitched up' where the safety risk is short pitched bowling) and/or request that the captain of the fielding team move their close fielders out. Note that Regulation 2 of the ECB Recreational Cricket Safety Regulations specifies mandatory minimum fielding distances for certain players; and/or
- 4.2.5 in order to mitigate disparity in relation to fielding,
- (a) players could be asked to exercise caution when throwing the ball back in or attempting to affect a run out;
 - (b) captains and team managers could consider the appropriate fielding positions for less physically able players, in particular to ensure they are not placed in a position where the ball is likely to be travelling at speed; and/or
 - (c) whilst the protected area on the pitch is managed, umpires could permit batters to cross the pitch to complete a run.
- 4.3 If a Disparity exists and a player, match official or Cricket Organisation is concerned that there is a risk of Serious Injury which cannot be resolved to the satisfaction of the player, representative(s) of the relevant Cricket Organisation (including captains) and match official(s) (as applicable) in respect of a match, the match officials may:
- 4.3.1 delay or stop the match and/or
 - 4.3.2 allow play to start or continue without the participation of one or more of the players. Where a match official is determining which players should be permitted to participate in light of the Disparity, priority should be given to the individual(s) whose strength, skill and/or physique is consistent with the level, age group or category of the relevant match or cricketing environment.
- 4.4 If the Disparity is not able to be adequately addressed in accordance with Regulations 4.2 or 4.3, and a player, match official or Cricket Organisation remains concerned that there is a risk of Serious Injury to a participant (or participants) in any form of Recreational Cricket going forwards, an application must be made to the Safety Panel in accordance with Regulation 5. An application can be made before any match has taken place where the Disparity giving rise to the risk of Serious Injury is apparent from the relevant player's performance in other cricket environments.

5 SAFETY PANEL – APPLICATION AND INITIAL REVIEW

- 5.1 An application can be made to the Safety Panel by any player, match official or Cricket Organisation which is concerned that (i) there is a Disparity that could present a risk of Serious Injury to a participant or participants and which has not been adequately addressed in accordance with Regulations 4.2 or 4.3 or (ii) there is no Disparity that could present a risk of Serious Injury to a participant or participants but a player has nevertheless been excluded from participation in Recreational Cricket by a Cricket Organisation.
- 5.2 Any application to the Safety Panel must include:
- 5.2.1 details regarding the Disparity issue in question, including (wherever possible):
- (a) the forms of Recreational Cricket in which the player(s) participates (and/or wishes to participate in);
 - (b) a description of the alleged Disparity;
 - (c) where and how the Disparity has presented itself;
 - (d) who is allegedly at risk of Serious Injury in relation to the Disparity and why, (and in relation to applications made under Regulation 5.1(ii), the reasons why the applicant believes this is not the case);
 - (e) the perspective of the relevant player(s);
 - (f) the perspective of representatives of the relevant Cricket Organisation(s); and
 - (g) the perspective of the match official(s) (where relevant); and
- 5.2.2 an explanation of the consideration which has been given to, and/or application of, the practical measures described in Regulations 4.2 and 4.3, including why they were not able to adequately address the Disparity.
- 5.3 Upon receipt of any application made under this Regulation 5, the Safety Panel Chair will carry out an initial review of the application to determine in their absolute discretion whether:
- 5.3.1 in the case of an application made under Regulation 5.1(i), there is sufficient evidence of a potential Disparity which has not been adequately addressed in accordance with Regulations 4.2 and 4.3, and therefore that the matter qualifies to be considered by the Safety Panel; or
- 5.3.2 in the case of an application made under Regulation 5.1(ii), it is at least arguable that no Disparity exists that could present a risk of Serious Injury to a participant or participants, and therefore that the matter qualifies to be considered by the Safety Panel.
- 5.4 If the Safety Panel Chair determines that the matter qualifies to be considered by the Safety Panel, they will appoint at least three and up to five members (including the Safety Panel Chair) to form the Safety Panel, which will convene to consider the application as soon as reasonably practicable. If a member of the Safety Panel has a perceived, potential, or actual conflict of interest with the application, they must remove themselves from the Safety Panel immediately

and the Safety Panel Chair may, in their absolute discretion, appoint an alternative member of the Safety Panel.

6 SAFETY PANEL – INTERIM MEASURES

- 6.1 If requested, the Safety Panel (or the Safety Panel Chair if the Safety Panel has not yet been convened) can make a decision in relation to the participation of the relevant player(s) for the period until the Safety Panel has reached a decision. A decision that a player(s) should not participate in any form of Recreational Cricket before the Safety Panel has reached its decision will only be made if the information which has been submitted in relation to the application suggests that there is a material risk of Serious Injury if the player(s) is permitted to participate during that period.

7 SAFETY PANEL – DECISION AND IMPLEMENTATION

- 7.1 The Safety Panel will usually consider a case on the basis of the papers submitted, but can in appropriate cases request that the applicant and/or relevant player(s) attend a meeting in person.
- 7.2 When considering any application brought under the Regulations, the Safety Panel will consider:
- 7.2.1 whether there is a Disparity;
 - 7.2.2 whether the Disparity could, or is likely to, result in Serious Injury;
 - 7.2.3 the application, appropriateness and success of any existing strategies put in place in accordance with Regulations 4.2 and 4.3 above, or otherwise, to address the Disparity;
 - 7.2.4 whether any other strategies could be employed to address the Disparity; and/or
 - 7.2.5 any other matters it considers appropriate in the circumstances.
- 7.3 The Safety Panel may request access to any evidence or other information from the match officials, representatives from the relevant Cricket Organisation(s) or relevant player(s), required to consider the application. This may include video footage, provided the individuals concerned have consented to the filming of the footage in question and/or the sharing of the footage for the purposes of the Safety Panel's consideration. The Safety Panel will keep confidential all information presented or submitted as part of the application process and only use such information while considering any application made in accordance with these Regulations.
- 7.4 The Safety Panel may, acting in its absolute discretion, make any of the following findings:
- 7.4.1 There is no Disparity.
 - 7.4.2 There is a Disparity but it is being appropriately managed by the relevant Cricket Organisation(s), player(s) and/or match officials (as applicable), with no further action required.
 - 7.4.3 There is a Disparity that could, or is likely to, present a risk of Serious Injury to a participant or participants, and the Disparity should be addressed as the Safety Panel considers appropriate, including but not limited to:

- (a) education and awareness of match officials;
- (b) the eligibility of players to play in particular matches and/or competitions (or in matches and/or competitions against particular players);
- (c) informing players about other forms of cricket which are more appropriate for their strength, stamina and/or physique; and/or
- (d) mandating protective equipment be worn during relevant matches.

7.5 The Safety Panel may also make recommendations to support the inclusion of players where there is a Disparity, providing there is no risk of Serious Injury to any participants.

7.6 The decision of the Safety Panel is final and binding and there is no right of appeal by the applicant. Where the applicant or any third-party supplies evidence that was not available to the Safety Panel when making its decision which the Safety Panel considers could have had a material impact on its decision, the Safety Panel will reconsider the Application in accordance with the procedure in this Regulation 7.

7.7 Cricket Organisations and participants must comply with any decision issued by the Safety Panel and Cricket Organisations must document how they have adopted and implemented the decision.

7.8 Due to confidentiality requirements (for example in relation to medical confidentiality), there may be circumstances where the Safety Panel is unable to provide details of its decision to the applicant. In such circumstances, the Safety Panel Chair will notify the applicant once the matter is closed.

8 DATA PROTECTION

8.1 The UK GDPR and the Data Protection Act 2018 make up the primary data protection legislation in the United Kingdom. The ECB and each Cricket Organisation are separate 'controllers' and each is responsible for its own compliance with data protection law when processing personal data in connection with the Regulations. Individuals should refer to the privacy notice(s) issues by the ECB and/or the relevant Cricket Organisation for details of how their personal data will be used and protected and their data protection rights.

SAFETY PANEL APPLICATION FORM

This Application Form should be used by a player, match official or Cricket Organisation to request that the Safety Panel consider a situation of Disparity arising in Recreational Cricket. The completed form, and any accompanying evidence or materials, should be sent by email to disparity@ecb.co.uk.

Data protection. Details of how the ECB uses and protects personal data obtained in connection with the Disparity Regulations and their rights in respect of their personal data can be found in the ECB's privacy notice for the relevant category of player.

Applicant Name	
Contact Number	
Email Address	
Cricket Organisation	
Role within relevant Cricket Organisation	
Form of Recreational Cricket the application concerns	
Description of (alleged) Disparity (including participant details, background information, incidents relevant to the concern)*	
Who is at risk (or alleged to be at risk) of Serious Injury as a result of the Disparity and why?*	
For applications under Regulation 5.1(ii), why the applicant believes there is no Disparity that poses a risk of Serious Injury	
Details of supporting documentation to this application (attach match official's report, report from the relevant Cricket Organisation(s), accounts of relevant participant(s), video evidence, notes, risk assessment, relevant data protection paperwork and any other supporting documents)*	
Details of any action taken and/or conclusion reached by a match official and/or relevant Cricket Organisation(s)* <i>(NOTE: it is a prerequisite of the Regulations that the matter be considered by player(s), match official(s) and/or relevant Cricket Organisation(s) in the first instance and dealt with by immediate steps where possible. If no immediate steps were sufficient to address the Disparity, this should be</i>	

<i>detailed here together with reasons for that conclusion)</i>	
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**Please continue on separate sheet and attach as necessary.*

In submitting this application, I agree that the Safety Panel may make further enquiries relating to this application, including but not limited to, investigating the matter further and/or requesting a response from any players and/or officials involved.

I submit to the jurisdiction of the Safety Panel and agree to comply with any decision made by the Safety Panel.

I acknowledge that it is the responsibility of the relevant Cricket Organisation to adopt and implement the decision of the Safety Panel.

I have read and understand the ECB Privacy Notice and have provided a copy to the following individuals in respect of this application:

- (1)
- (2)
- (3)
- (4)
- (5)

Applicant name:

Signature:

Date: