



**PCA Legal Policy and Protocol**

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**THE POLICY AND PROTOCOL OF THE PROFESSIONAL CRICKETERS  
ASSOCIATION TO MATTERS OF LITIGATION, DISCIPLINARY PROCEEDINGS,  
ETHICS AND COMPLIANCE**

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1. The PCA adopts formally this policy and protocol to indicate in the clearest terms to all its members, whether past playing members or present, what our policy will be in relation to matters of legal advice, potential and continued representation and support in litigation, ethics and compliance.
2. The PCA has as its guiding principle the aspiration to do whatever it reasonably can to assist and support its individual and collective member's welfare and wellbeing from the beginning of any matters dealt with this protocol to the conclusion of such matters.
3. The PCA will expect its members to raise any of the matters in this protocol in a prompt and timely manner.
4. The PCA has 3 core areas in which it will seek to assist its members namely disciplinary matters, employment matters and commercial matters.
5. The PCA will seek to provide all reasonable support and advice relating to all disciplinary matters to which a member is subject to from the First Class Counties, WEDS, ECB, the ICC or any other cricket board or other disciplinary process.
6. The PCA will seek to provide all reasonable support and advice relating to all cricket and cricket related employment matters to which a member is subject to from the employer where present, future or historic.
7. The PCA will seek to provide reasonable support and advice relating to all cricket related commercial matters including intellectual property matters to which a member is subject to which are related to the members career in cricket or related areas.
8. The PCA will exercise a complete and unfettered discretion whether it will support members in relation to other potential litigation relating to other areas of the members interest.

9. The level of support undertaken by the PCA and the judgment relating to reasonableness such be influenced by the following guidelines and factors relating to any of the Core areas of support or a discretionary area namely:
  - 9.1. Whether the provision of support, whether financial or otherwise is compatible with the overall membership of the PCA and that collective interest whilst balancing the importance of the matter to the individual member or members.
  - 9.2. Whether the provision of support is justified bearing in mind the prospects of success in the matter under consideration.
  - 9.3. Whether the provision of support is justified bearing in mind whether an alternative remedy exists to the member.
  - 9.4. Whether the provision of support sought by the member is proportionate to the resources and financial wellbeing of the PCA.
  - 9.5. The behaviour of the player in the matter under consideration.
  - 9.6. The resources of the player concerned and their personal ability to contribute in the matter under consideration.
10. In matters which involve two members in conflict or proceedings against each other the PCA will seek to represent both members proportionality and fairly in attempting to resolve this matter and taking into account the circumstances relevant to the matter.
11. In such matters arbitration shall be the recourse at first instance. The costs of such a process shall be borne proportionality between the players unless the arbitrator determines otherwise.
12. In anti-corruption matters where players may be whistle blowers or witnesses or under investigation then these matters will as a matter of course be referred to external representation (with possible limited financial assistance).
13. The CEO shall have an inherent discretion to commit the financial resources of the PCA up to a limit in each matter up to a limit agreed annually by the Management Board.
14. In determining the approach of the PCA the Officer concerned whether the Director of Members Services and the CEO shall be required to involve the other officer in determining the approach of the PCA and in matters of non-significant importance they are not required to inform the non-executive directors. The decision reached shall be formally recorded by both as a matter of record in writing with each other.
15. In matters of significant importance to the Member and the PCA as determined by the Director of Members Services and the CEO then those two officers will be required to inform the Players Chair (unless there are circumstances where the Players Chair has a conflict of interest in the judgment of the CEO and Director of Members Services), Non-Executive Chair and the Non-Executive Legal Director of the PCA of a matter of significant importance.
16. A matter of significant importance shall be defined as:

- 16.1. Any criminal investigation into a member.
- 16.2. Any formal disciplinary investigation by the ECB, the First Class Counties, WEDS, ECB, the ICC or any other cricket board or other disciplinary body.
- 16.3. Or any other issue that the executive believes is a matter of such significance that it affects the player in a material way and/or PCA in a material way. The phrase “in a material way” as being a matter which shall be defined as having significant reputational consequences for the player and/or the PCA

**AS ENDORSED AS THE POLICY AND PROTOCOL BY THE EXECUTIVE BOARD OF THE  
PCA ON 15 DECEMBER 2020.**

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