



**IN THE MATTER OF PROCEEDINGS BROUGHT UNDER THE ENGLAND AND WALES  
CRICKET BOARD DISCIPLINARY PROCEDURE REGULATIONS**

Before:  
Sarah Crowther KC

**BETWEEN:**

**CRICKET REGULATOR**

**and**

**CHARLIE BENNETT**

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**DECISION ON SANCTION AND REASONS**

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**EXECUTIVE SUMMARY**

1. Mr Bennett is sanctioned in respect of the admitted charge of improper conduct in using misogynistic language with the effect of creating a hostile or offensive environment on the field of play towards another player as follows:
  - 1.1. A reprimand in respect of the admitted conduct.
  - 1.2. A one-match suspension from his Essex CCC schedule, suspended for 12 months from the date of my decision only to be enforced in the event of a further breach of Regulation 3.2 of the ECB Professional Conduct Regulations.
  - 1.3. To undertake such training in equality, diversity and inclusion and/or anti-discrimination as shall be agreed between him and the Cricket Regulator.

## INTRODUCTION

2. I am asked to determine the appropriate sanction in respect of an admitted breach by Mr Bennett of Regulation 3.2 the Professional Conduct Regulations in respect of improper conduct on 5 July 2025. Mr Bennett is a professional cricketer who is registered with Essex CCC.
3. The charge which he has admitted is that whilst playing for Frinton-On-Sea CC (**"Frinton CC"**) against Horsford CC in the East Anglian Premier Cricket League, he dismissed Neil Hornbuckle. Mr Hornbuckle is a South African national, which Mr Bennett knew. As Mr Hornbuckle was leaving the field of play, Mr Bennett verbally abused him by calling him a *"Fucking puss"* (which is sometimes spelled "poes") which he knew to be an Afrikaans slang term meaning vagina or female genitalia and demeaning towards women. He has admitted that this was misogynistic term which created a hostile or offensive environment.

## MATERIAL CONSIDERED

4. In order to assist me in reaching my decision, I have had the benefit of the following materials which I have considered:
  - 4.1. Witness statements from both officiating umpires, Mr Hornbuckle, Kyran Young, Ronnie McKenna, and Michael Comber, (players and captain of the Frinton CC team respectively), Christopher Armstrong, the Frinton CC scorer and home match official which give their versions of events relating to the admitted charge.
  - 4.2. A witness statement of Mr David Reid, investigator at the Cricket Regulator exhibiting the umpires' disciplinary report of the incident, extracts from the Frinton CC report and scoring on one of the umpires and the transcript of Mr Reid's interview with Mr Bennett regarding the incident on 21 July 2025.
  - 4.3. The umpires' disciplinary report in relation to a previous incident of verbal dissent towards an umpire by Mr Bennett on 17 May 2025 following his dismissal LBW during a match for Frinton CC against Sudbury CC.

- 4.4. The YouTube clip (no sound) of the incident (relevant action is at 3:00:03) <https://www.youtube.com/watch?v=ARvhaB3aggQ>.

## PROCEDURAL BACKGROUND

5. Pursuant to Regulation 7 of the ECB Disciplinary Procedure Regulations, the Cricket Regulator issued a charge letter to Mr Bennett, indicating it considered the case appropriate to proceed under the Summary Procedure and setting out the range of sanctions under Regulation 7.4 which it believed sufficient in relation to the seriousness of the charge.
6. Mr Bennett admits the charge and accepts the range of sanctions specified in the charge letter. Richard Whittam KC, Chair of the Cricket Disciplinary Panel, has determined that the use of the Summary Procedure is appropriate and has appointed me as Sole Arbitrator to determine the applicable sanction within the range specified in the charge letter and in accordance with Regulation 7.4.
7. Pursuant to Regulation 7.3 any sanction I impose must be **both** in accordance with the range of sanctions suggested in the charge letter (and accepted by Mr Bennett as an acceptable potential sanction) **and** one of the listed sanctions in Regulation 7.4 itself. The charge letter sets out the following:
  - 7.1. A reprimand.
  - 7.2. A caution regarding future conduct.
  - 7.3. Completion of education or training programme or course at the cost of Mr Bennett. In this case, the Cricket Regulator has suggested that an equality and diversity training programme to be agreed with the Cricket Regulator but addressing discrimination would be appropriate.
  - 7.4. Suspension for a maximum of four scheduled playing days. The Cricket Regulator has suggested suspension for one match as part of the Essex CCC schedule, suspended for 12 months in the event that there is any further breach of Regulation 3.2 of the Professional Conduct Regulations.

8. However, on my reading of Regulation 7.4, I do not have power to impose a caution regarding future conduct. That power is available solely to the Cricket Regulator under Regulation 4 of the Disciplinary Procedure Regulations and is not available as a sanction either to a Disciplinary Panel under Regulation 9 or me as Sole Arbitrator under the Summary Procedure in Regulation 7.

### **FINDINGS AS TO THE RELEVANT CONDUCT**

9. Mr Bennett was born in 2006 and was nineteen years of age at the time of the incident. He has played for Frinton CC since 2023 and entered a contract with Essex CC in July 2025. He is a bowler. The fixture was a home game for Frinton CC, they batted first and were all out for 130 in 44.5 overs. Mr Bennett had been dismissed without scoring, but there was no incident arising from the dismissal.
10. The incident occurred at the start of the Horsford CC innings. Mr Hornbuckle opened the batting and struck Mr Bennett's first ball in the air for four, having come down the wicket to make his shot. The second ball was short of a length and Mr Hornbuckle edged it to backward point and was caught. He turned to see the catch taken and then started walking off the field, passing Mr Bennett who was coming down the track towards his teammates who were gathering to celebrate just square of the stumps.
11. It is common ground that the Frinton CC players gave Mr Hornbuckle what has been referred to as "*a bit of a send-off*" and in the course of that words were exchanged between Mr Hornbuckle and Mr Bennett, although the witness accounts vary as to the precise terms used. The bowler's end umpire heard Mr Hornbuckle say something to the effect of "*shit shot*" to himself. The Frinton CC players also heard Mr Hornbuckle swear, although they all suggest that the swearing was addressed to Mr Bennett.
12. Both umpires heard Mr Bennett then verbally abuse Mr Hornbuckle, calling him a "*Fucking poof*". Mr Hornbuckle thought that Mr Bennett had told him to "*Fuck off*". However, all the Frinton CC players in their evidence are at pains to emphasise that Mr Bennett shouted at Mr Hornbuckle that he was a "*Fucking puss or poes*" and explain that this is not a homophobic term, but rather one which is Afrikaans slang with which they were familiar because it was widely used in their dressing room as a result of a South African player being previously on the Frinton CC team in 2024. The

witnesses all state that they knew the term was used in South Africa and that it was slang for female genitalia or vagina.

13. It can be seen on the footage that Mr Hornbuckle then turns back for a second time. He told Mr Reid that he had shouted at Mr Bennett, *"You're going to have a long pro career if you celebrate wickets with long hops"*.
14. Mr Bennett's evidence in interview was as follows:  
  
*"I celebrate, nothing over the top, just celebrate. He then tells me, I think he says, 'Fuck off'. I can't 100% remember what he said, but you can see on the video, he turns and says something. So, then I said, 'Fucking puss'. I don't know if you know but he's a South African man. So, I said that to him, and then, as he's walking off..."*
15. Following the incident, the two umpires discussed the situation and then called over the Frinton CC captain, Mr Comber and subsequently Mr Bennett and told him that they were issuing a 'Level 1' warning to Mr Bennett.
16. I should also note that it is clear from the evidence that Frinton CC was and is unhappy with how the incident has been addressed, which appears to be based on the notion that Mr Hornbuckle should also be subject to disciplinary proceedings. The Frinton CC witnesses express considerable grievance about how the umpires dealt with the incident. They seek to blame Mr Hornbuckle, downplay Mr Bennett's conduct and complain that in their opinion Mr Hornbuckle should face a charge in respect of allegations which they make against him regarding his later conduct (which, for the sake of completeness, I should say that Mr Hornbuckle denies). Frinton CC in its post-match report criticised the bowler's end umpire, whom they regard as primarily responsible for the decision to report Mr Bennett (and not Mr Hornbuckle). Mr Bennett seems to have been taken along by this attitude somewhat as he failed to shake the umpire's hand until prompted following the match and in his interview with the Cricket Regulator continued to seek to deflect from his conduct and to make allegations against Mr Hornbuckle.
17. Moreover, in some of the evidence, the Frinton CC witnesses appear to be under the impression that verbally abusing an opponent player by calling him an offensive and insulting term for female genitalia deliberately in language chosen because of his

nationality is not discrimination and therefore less serious than abusing them with a homophobic slur. I disagree. Whatever the differences in the evidence as to what was actually said, Mr Bennett has admitted verbally abusing Mr Hornbuckle by calling him a “*fucking poes*” and that it was done in the knowledge that this was an Afrikaans slang term demeaning of women and he used it intending to humiliate Mr Hornbuckle and to create an intimidating or hostile environment for him, I will consider sanction on the basis of the admitted case.

18. Mr Bennett did not submit any further evidence in mitigation.

### **SUBMISSIONS OF THE PARTIES**

19. There were no submissions made to me on the appropriate sanction by either party.

### **SANCTION - DISCUSSION**

20. The ECB Anti-Discrimination Regulations are relevant in the context of the admitted charge. By Regulation 3.3 of the Professional Conduct Regulations Mr Bennett is bound by the Anti-Discrimination Regulations. They state that the aim of the ECB is to create an environment within cricket in which no individual experiences discrimination or acts in a discriminatory manner, in order to maintain the integrity, diversity and inclusivity of cricket. It is a breach of the Anti-Discrimination Regulations for a participant to engage in conduct relevant to a protected characteristic which has the purpose or effect of violating another’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment. Protected characteristics include sex.
21. By Regulation 3.1 of the Professional Conduct Regulations, verbal abuse or hostility towards any other player and use of language which is obscene, offensive or insulting is expressly set out to be conduct which is not fair and proper.
22. I have had regard to the ECB guidance on Aggravating and Mitigating Factors, the On-Field Sanctions and the Sanctions Guidelines, although these are guidelines, they provide a useful starting point and cross-check. There are fixed penalties for certain conduct under the Professional Conduct Regulations provided for in Regulation 4. Where such fixed penalty has been imposed, I am bound to take it into

account when considering what penalty to impose. There is no indication in the papers before me that any penalty has been imposed under the Professional Conduct Regulations.

23. However, as a starting point, the fixed penalty regime gives some indication as to the conduct which falls into the various 'levels' of seriousness. For example, level 3 includes at paragraph (c) conduct related to a relevant protected characteristic which has the purpose or effect of violating another's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person or persons. I consider that under the fixed penalty scheme, the test in paragraph (c) is met with respect to the conduct admitted. A first-time level 3 breach would generally attract a two-match suspension from competitive play at the relevant level.
24. It is correct to state that there is no evidence of significant harm caused to Mr Hornbuckle, who did not hear the relevant comment and does not appear to have been significantly adversely affected by the altercation, in which he himself did play a role. However, I do take account of the harm which actions of this nature cause to the sport itself, in terms of erosion of respect and dignity for those participating in the game and the need to promote an inclusive environment in which players, umpires and other officials should be confident that they will not be subject to discriminatory, demeaning, abusive or foul language.
25. An aggravating feature is that this is not Mr Bennett's first offence. He was found to have shown verbal dissent to an umpire at a match in May 2025 which was a level 1 offence, for which his club gave him a one-week suspension. In accordance with the Professional Conduct Regulations, that incident remains on Mr Bennett's record for 24 months.
26. The proposed period of suspension in this case is one match, or four days, not to take effect unless there is a further breach of the improper conduct rule in Regulation 3.2 of the Professional Conduct Regulations within 12 months. As this is a lesser sanction than the fixed penalty scheme would suggest and it is suggested that it be suspended, I have considered whether there is mitigation available on the evidence which would justify the proposed level of sanction.

27. I have carefully considered Mr Bennett's interview and his acceptance of the charge. Whilst I have found that there is some lack of insight into his personal responsibility and the effect of his behaviour, I am satisfied that he deserves credit for his acknowledgement of his fault, which has meant that this matter has not needed to go to a disciplinary hearing, and witnesses have not been required to give their evidence to a panel.
28. I also take account of the fact that the Cricket Regulator is the regulator of cricket discipline and is the primary arbiter of the best interests of the sport as a whole and is proposing this range of sanctions as being in the best interests of cricket. Whilst not binding upon me as Sole Arbitrator of the independent Cricket Discipline Panel, it is right that I should respect that judgment and only depart from it where there is good reason to do so.
29. Finally, I have also considered the fact that Mr Bennett is relatively young and had only recently signed his county contract, a matter which had clearly attracted attention and made him focus of some antagonism by other players. I find that this is some limited mitigation, but I do echo and endorse the comments of one of the umpires in his evidence, namely that Mr Bennett will need to learn to control himself, because keeping a county contract can be harder than getting one in the first place.
30. Following on from that observation, I am satisfied that it is appropriate in this case that the suspension should not be enforced unless there is a further breach by Mr Bennett of the improper conduct rule within 12 months of my decision. It should be understood that this is an opportunity for Mr Bennett to learn from this incident and to take steps to manage his conduct more maturely and to resist the temptation to become engaged in verbal abuse or dissent.
31. Allied with that, it seems to me that Mr Bennett would benefit from education regarding equality and training in how to respect diversity and promote inclusion within cricket. It is apparent to me from the evidence and the response of those around Mr Bennett at Frinton CC that the culture at the club in respect of equality, diversity and inclusion requires work and, without scapegoating Mr Bennett for the shortcomings of others, it is appropriate that he is given the opportunity to learn what good and proper conduct looks like, to support him in his future behaviour and to



assist him in avoiding triggering his suspension or facing any future conduct proceedings.

32. Stepping back from the detail and looking at the overall picture, I am satisfied that this package of sanctions provides an appropriate opportunity for Mr Bennett to move on from this episode and to improve his future conduct, whilst ensuring that the punitive aspect of the sanction can be implemented in the event that he does not take that opportunity. I am satisfied that this is a proportionate approach to the charge admitted and a fair sanction in all the circumstances.

### **CONCLUSION**

33. In light of the above, I impose the following by way of sanction in respect of the admitted charge on Mr Bennett:
- 33.1. A reprimand in respect of the admitted conduct.
- 33.2. A one-match suspension from his Essex CCC schedule, suspended for 12 months from the date of my decision only to be enforced in the event of a further breach of Regulation 3.2 of the Professional Conduct Regulations.
- 33.3. Mr Bennett at his own cost to undertake such training in equality, diversity and inclusion and/or anti-discrimination as shall be agreed between him and the Cricket Regulator. In the event that it cannot be agreed, the matter can be referred back to me for determination.
34. In accordance with the Disciplinary Procedure Regulations these written reasons are to be sent to the parties. There is no right of appeal from my decision, however I shall permit the parties seven days to raise any factual corrections to my reasons before they are published in accordance with Regulation 7.6. Comments must be limited to factual errors and are not an opportunity to raise further arguments or evidence.

  
**Sarah Crowther KC**

**Sole Arbitrator**

**London, UK**

**8 September 2025**