



Cricket
Discipline
Panel

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

Before:
Richard Whittam KC

BETWEEN:

CRICKET REGULATOR

and

BEN SILVER

SUMMARY PROCEDURE DECISION

EXECUTIVE SUMMARY

1. The Respondent is reprimanded for his admitted behaviour in Charges 1 and 2.
2. The Respondent must successfully complete an education / training programme that addresses professional boundaries in the workplace, to be agreed with the Cricket Regulator.
3. The Respondent is fined £500. The imposition of that fine is suspended for a period of 12 months.

INTRODUCTION

4. The Cricket Regulator confirmed in its charge letter, dated 22 May 2025, that it considered it appropriate for the case to proceed under the Summary Procedure.
5. On 03 June 2025, by email, the Respondent admitted the charges and agreed to the range of sanctions referred to in the charge letter.



6. On 10 June, the case was referred to me as the Chair of the Cricket Discipline Panel to determine whether it was appropriate to initiate the Summary Procedure in this case.
7. On 13 June, I determined that it was appropriate to initiate the Summary Procedure in this case and appointed myself as the Sole Arbitrator to determine the applicable sanction under the Summary Procedure within the range specified by the England and Wales Cricket Board Disciplinary Regulations, Regulation 7.4.

MATERIAL CONSIDERED

8. I was provided with a hearing bundle that included the charge letter, the response, witness statements from the women affected by the conduct of the Respondent, interviews conducted by the Cricket Regulator and the Disciplinary investigation carried out by Yorkshire County Cricket Club ("**Yorkshire CCC**").

THE CHARGES

"Charge 1

It is alleged that on 6 October 2024 you sent messages to [a junior to you in age and position, female employee of Yorkshire CCC] which amounted to conduct or an act which is improper or which may be prejudicial to the interests of cricket or which may bring the ECB, the game of cricket or any cricketer or group of cricketers into disrepute.

Charge 2

It is alleged that you played a 'game', on at least one occasion in August 2024 during the Scarborough Festival, which involved stating how many beers it would require for you to kiss or sleep with women, including YCCC female players and / or staff at YCCC. It is alleged that this 'game' amounted conduct or an act which is improper or which may be prejudicial to the interests of cricket or which may bring the ECB, the game of cricket or any cricketer or group of cricketers into disrepute."

RELEVANT FACTS

9. In summary, at the time of the misconduct set out in the two charges, the Respondent worked as a High Performance Coach for Yorkshire CCC. He was

aged 27 at the time of the misconduct, and the women affected were junior to him both in their respective positions at Yorkshire CCC, and in age.

- 9.1. Charge 1 relates to events on 6 October 2024. The Respondent was staying Headingley Lodge along with other employees of Yorkshire CCC. In the early hours of the morning, after an evening out, and when the Respondent was in drink, he sent messages to a female colleague with whom he worked, in which he suggested a 'sleepover' which appeared to constitute a sexual advance. The recipient did not feel personally threatened by the message or feel uncomfortable, but, as she stated, it did feel "*weird*". She interpreted the message to mean that they could have stayed in the same bed. She did not know whether the Respondent would try to push things further. When interviewed by the Cricket Regulator about this conduct, the Respondent admitted that he had sent the messages. He accepted that they could be interpreted as a sexual advance and that the messages were an error of judgment. He asserted that they were only a "*joke*".
- 9.2. Charge 2 relates to events in August 2024 at the Scarborough Cricket Festival. The Respondent engaged in an improper and offensive "*game*" in which he was heard to say, "*go on, how many*" by a female junior member of staff at Yorkshire CCC. Further, in conversation with a female Player at Yorkshire CCC, the Respondent confirmed that he and another male had discussed "*how many drinks it would take for them to kiss each of the regional coaches*". In interview with the Cricket Regulator the Respondent accepted that he had played the "*game*" with the other male, but asserted that it was in his hotel room and it did not involve mention of any female member of Yorkshire CCC staff.
10. Yorkshire CCC conducted formal disciplinary proceedings in relation to these and other matters on 12 March 2025. As a result, the Respondent's employment was terminated, with 4 week's pay in lieu of notice.

SUBMISSIONS OF THE PARTIES

11. The Cricket Regulator submitted that the offences occurred in 2024 when the 2024 Cricket Discipline Regulations were in force. The relevant regulations are the same as now in force, and the sanctions are substantially the same, save for the fact that a caution as to future conduct is no longer an available sanction under the 2025 Disciplinary Procedure Regulations.
12. The Cricket Regulator submitted that the range of applicable sanctions was as follows:
 - 12.1. A caution as to future conduct.
 - 12.2. A reprimand.
 - 12.3. Completion of an educational / training programme at the cost of the Respondent. The Cricket Regulator proposed a course addressing professional boundaries in the workplace, to be agreed with the Cricket Regulator.
 - 12.4. A fine not exceeding £2,000, which could be suspended, and
 - 12.5. Suspension for a maximum of four scheduled playing days.
13. In his email of 03 June 2025, the Respondent agreed with that range of sanctions.

REASONS FOR THE DECISION

14. The Respondent accepted both charges. The sanctions imposed only relate to those two charges brought by the Regulator and not to any other alleged misconduct.
15. The conduct admitted by the Respondent has no place in modern society and no place in the cricket environment. Women who participate in cricket in any way must be able to do so in a safe and inclusive environment.
16. In relation to both charges, neither could be categorised as a '*joke*' or a '*game*'. They were offensive to women and clearly brought the game of cricket into disrepute.

17. Whilst the recipient of the invitation for a sleepover did not feel threatened or uncomfortable, it did make her feel 'weird'. It was conduct committed whilst the Respondent was in drink. Further, his conduct was not confined to a single charge. I treat the fact that Charge 1 was committed after the Respondent had been drinking, and that he previously had acted in the sexist and sexually offensive manner as set out in Charge 2 as aggravating factors.
18. In mitigation, the Respondent accepted both charges. He made admissions to charge 1 and partial admissions to charge 2 when interviewed by the Cricket Regulator.
19. I take into account that Yorkshire CCC terminated the Respondent's employment, with four weeks' pay in lieu of notice.

THE DECISION IN FULL

20. The conduct of the Respondent was offensive and it brought the game of cricket into disrepute. I reprimand him for his conduct.
21. The Respondent showed little insight into his conduct, characterising it as a 'joke' or a 'game'. I determine that he should successfully complete an education / training programme that addresses professional boundaries in the workplace, to be agreed with the Cricket Regulator. The cost of that programme is to be paid by the Respondent. It must be completed by 31 December 2025. If it is not, the case should be referred back to me by the Cricket Regulator. I shall then consider all relevant factors, and determine whether to extend the date for successful completion of the education / training programme or whether to impose other sanction(s) as set out in the charge letter dated 22 May 2025.
22. Given that the Respondent's employment was terminated by Yorkshire CCC, I suspend a fine of £500 for a period of 12 months. Should the Respondent commit a further act that brings the game of cricket into disrepute within 12 months from the date of this decision, he should anticipate that fine being activated.



APPEAL

23. The Respondent admitted the charges and agreed to the range of sanctions referred to in the charge letter. Any sanction imposed by a Sole Arbitrator in accordance with Regulation 7.4 is final and binding and there is no right of appeal from this decision.

Richard Whittam KC

Sole Arbitrator

London, UK

25 June 2025