

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

Before:
Richard Whittam KC

BETWEEN:

CRICKET REGULATOR

and

PHILLIP HODSON

SUMMARY PROCEDURE DECISION

EXECUTIVE SUMMARY

1. The Respondent is reprimanded for his admitted behaviour as set out in Charges 1 and 2.
2. The Respondent must successfully complete a course that addresses equality and diversity, to be agreed with the Cricket Regulator, at his own expense.
3. The Respondent must pay a fine of £1,000 to the England and Wales Cricket Board ("ECB") by 31 January 2026.

INTRODUCTION

4. The Cricket Regulator confirmed in its charge letter, dated 31 October 2025, that it considered it appropriate for the case to proceed under the Summary Procedure.
5. On 14 November 2025, by email, the Respondent admitted the charges and agreed to the range of sanctions referred to in the charge letter. At that time the Respondent was not legally represented.

6. On 19 November 2025, 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 25 November 2025, 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 Procedure Regulations, Regulation 7. On the same day I caused Sport Resolutions, who act as the secretariat for the Cricket Discipline Panel, to confirm with the Respondent that he did accept the charges as the Summary Procedure is only applicable to charges that are admitted (Regulation 7.2.2).
8. On 4 December 2025, Brabners LLP, who were instructed by the Respondent in relation to this matter, confirmed that he did not contest the charges.

MATERIAL CONSIDERED

9. I was provided with a hearing bundle that included the charge letter, the response, two anonymised witness statements from people who attended the Scarborough Festival Dinner on 22 July 2025 at Scarborough Cricket Club, two further short statements and a transcript of the interview conducted with the Respondent by the Cricket Regulator on 16 October 2025. I have also considered the email correspondence that has taken place between the Cricket Regulator, the Respondent (and Brabners LLP) and Sport Resolutions.

DETAILS OF THE CHARGES

10. The Cricket Regulator set the charges out in the following way:

“You are and at the time of the speech were the Deputy Chair of Yorkshire County Cricket Club.

On the 22 July 2025, you attended the Scarborough Festival Dinner that was held at Scarborough Cricket Club. You were asked to perform the master of ceremonies at late notice and performed a short opening speech before introducing the guest speaker for the evening.

During your interview you explained two jokes you made that evening:

Joke 1:

"I apologise for looking so tired but this is my third dinner in as many days. On Sunday, I was at Halifax, speaking to the local haemorrhoid society, where incidentally, I received a standing ovation and on Monday, I was in Hull as a guest of the Gay Liberation Front and I must say, it's gratifying to see so many friendly and familiar faces here tonight."

Joke 2:

"...everybody's getting their awards and they've all sold three bibles, four bibles and fives bibles but this chap sold 305 and you ask him 'How did you sell 305?' and at that stage you start to stutter. You know, 'Well, well, well, I go, I go and knock on the door' etc. You know, the lady comes to the door and says basically 'Would, would, would you like to buy, buy, buy a Bible or would you like me to stand here and read it to you?..."

Particulars of Charge 1:

In relation to Joke 1, the Cricket Regulator asserts that your conduct in telling this joke had the effect of creating an intimidating, hostile, degrading, humiliating or offensive environment to a person who identifies as 'gay' and is linked to the protected characteristic of sexual orientation.

This breaches paragraph 1.2 of the Anti-Discrimination Regulations and paragraph 3.2 of the Professional Conduct Regulations.

Particulars of Charge 2:

In relation to Joke 2, the Cricket Regulator asserts that your conduct in telling this joke had the effect of creating an intimidating, hostile, degrading, humiliating or offensive environment for a person suffering from a disability (a protected characteristic), being a stammer.

This breaches paragraph 1.2 of the Anti-Discrimination Regulations and paragraph 3.2 of the Professional Conduct Regulations."

RELEVANT FACTS

11. In summary, at the relevant time, the Respondent was the Deputy Chair of Yorkshire County Cricket Club ("**the Club**") and held a place as a Director on the Board of Directors of the Club.
12. As is indicated in the charges set out above, on the 22 July 2025, the Respondent attended the Scarborough Festival Dinner that was held at Scarborough Cricket Club.

At late notice he was asked to be the master of ceremonies and delivered a short opening speech before introducing the guest speaker for the evening. In so doing, he told the two 'jokes' in *italics* above.

13. Witness A considered the 'jokes' went beyond 'banter' and caused embarrassment in the room. Witness A raised their concern with the Club and met its General Counsel. Witness B described 'joke' 1 as clearly homophobic, causing embarrassment as gay people were present. 'Joke' 2 was delivered by the Respondent as if he had a stammer. That too caused embarrassment as a guest on Witness B's table had a stammer. Witness B stated that they were not alone in thinking that the jokes were ill-judged. On looking around the room they could see that other people were looking concerned.
14. After the guest speaker finished, the Respondent made a serious speech about the finances of both the Club and Scarborough Cricket Club. That was considered by Witness A to be delivered with authority, passion and a good level of integrity and empathy regarding the finances of both organisations.
15. When the Respondent was interviewed by the Cricket Regulator he explained the considerable input he has made to the game of cricket over a great many years, including coaching in Soweto, South Africa between 1973-1977 and his playing for Cambridge University and the MCC, and becoming the President of the MCC in 2012. The Respondent readily admitted telling the 'jokes', and indicated that he had told them before, without causing any offence. Genuinely, the Respondent was shocked that he had caused offence and very much regretted doing so. He indicated that his age (mid-70's) might have contributed to his lack of insight into the fact that the jokes had the effect of creating an intimidating, degrading, humiliating or offensive environment for someone who was gay, or who had a stammer. The Respondent made it clear that had it been pointed out to him at the dinner he willingly would have apologised to those who had been impacted by the two 'jokes'.

SUBMISSIONS OF THE PARTIES

16. The Cricket Regulator submitted that the appropriate range of sanctions for the two charges includes:
 - 16.1. A reprimand;

- 16.2. The ordering of education, and suggested a course addressing equality and diversity to be agreed with the Cricket Regulator, and paid for by the Respondent.
 - 16.3. A fine to the maximum of £2,000 as set out in Regulation 7 of the Disciplinary Procedure Regulations.
17. The Cricket Regulator supported that submission by reference to the Discrimination Sanction Guidelines, and suggested that the two charges fell within Category B because:
- 17.1. The conduct was not intended to cause distress or harm but was likely to create such an effect.
 - 17.2. The conduct was a 'one-off' although it was not a single comment, but two 'jokes', and
 - 17.3. The Respondent was acting alone.
18. In his email of 14 November 2025, the Respondent set out a number of mitigating factors, including:
- 18.1. The impact that the disciplinary process has had on his mental and physical health.
 - 18.2. His long and substantial contribution to the game of cricket. Amongst other things:
 - 18.2.1. In the early 1970s, whilst contracted to Yorkshire, he travelled to South Africa and became one of the first two white coaches to coach cricket in Soweto during apartheid. Later, he coached in the West Transvaal for four years .
 - 18.2.2. He played over 300 matches for the MCC and chaired the Cricket Committee for 10 years, and was President of the MCC 2011-2012.
 - 18.2.3. In 2016, at the request of the then Chairman of the MCC, he revived the MCC Cricket Foundation, which provided free high quality

assistance to state educated young cricketers. That led to the expansion of its Hubs Programme to over 220 centres for young cricketers both in the UK and abroad.

- 18.2.4. He re-affirmed that he meant no offence by his comments and that he was truly sorry for any distress or offence that he may have caused. He would have apologised to those impacted by his jokes on the evening had the issue been identified to him and that he still would welcome the opportunity to meet with them and apologise personally, should that be appropriate.

ASSESSMENT OF THE CHARGES AND THE MITIGATION

19. The conduct admitted by the Respondent has no place in modern society and no place in the cricket environment. All who participate in cricket in any way, including attending cricket dinners, must be able to do so in an inclusive environment.
20. In mitigation, the Respondent accepted both charges. When he was interviewed the Respondent readily admitted telling the 'jokes' when he had been called on at short notice to introduce the guest speaker. Whilst he showed little insight into the impact of the two 'jokes' on people who are gay or who have a stammer, it is clear that he did not intend to cause any offence and that is accepted by the Cricket Regulator.
21. Further, not only did the Respondent not intend to cause any offence it is clear that his shock at doing so, and his apology (and desire to further apologise personally) are genuine.
22. When he spoke again later, after the guest speaker, one of the witnesses who had complained about the 'jokes' describe the Respondent as speaking with authority, passion and a good level of integrity and empathy regarding the finances of both organisations.
23. Even when it is appropriate to deal with a case under the Summary Procedure it is important to consider each case on its own facts. Whilst there should be consistency in the way in which similar cases are dealt with, and that Sanction Guidelines are relevant, the individual facts are paramount.

24. In this case I have concluded that the available evidence establishes the following facts:

- 24.1. The Respondent was called on at short notice to introduce the guest speaker.
- 24.2. He told two inappropriate and offensive jokes. At the time he told them he did not intend to cause offence.
- 24.3. Later that evening he spoke with authority, passion and a good level of integrity and empathy regarding the finances of both organisations. That contribution was well received even by those offended by the jokes.
- 24.4. The Respondent has apologised for his conduct. He maintains that apology and would repeat it to the individuals affected, if it is appropriate to do so.
- 24.5. Significantly, the Respondent has a lack of insight as to why the 'jokes' were inappropriate. The Respondent has emphasised his age, and the fact that he might not have moved with the times.
- 24.6. The Respondent has made a very significant contribution to the game of cricket over very many years, including coaching in Soweto during apartheid and he contributed significantly to the revival of the MCC Cricket Foundation, which has provided so much support to young state educated cricketers.

25. In considering the Discrimination Sanction Guidelines I note that they outline a non-binding framework that is without prejudice to the Cricket Discipline Panel's general powers of sanction. Having considered the particular facts of this case I have concluded that the breaches of regulation accepted by the Respondent fall somewhere between Category B and Category C for the following reasons:

- 25.1. Although the Respondent did not intend to cause offence, it was likely that in telling the two 'jokes', they were likely to do so (and in this case did), which is a factor in Category B.
- 25.2. The Respondent was acting alone, which is a factor in Category C.

- 25.3. Although the conduct involved telling two 'jokes', it was part of the same introduction to the guest speaker and should not be categorised as two distinct events. That conclusion is tempered by the explanation given by the Respondent that he has told the same 'jokes' many times previously. That said, he only faces the two charges arising out of the same passage of speaking. Further, the previous telling of the 'jokes' occurred before the Respondent had his attention drawn to the offence the 'jokes' could cause. I am confident that had the Respondent been aware that the 'jokes' could cause offence, he would not have told them.

THE SANCTION

26. In those circumstances I have concluded that the appropriate sanction in this case is:
- 26.1. A reprimand. Someone who is the Deputy Chair of a County Cricket Club and on the Board of Directors should be aware that they should not tell 'jokes' that might create a humiliating or offensive environment to a person who identifies as gay, or to a person suffering from a disability
- 26.2. Education. The Respondent must successfully complete a course that addresses equality and diversity, to be agreed with the Cricket Regulator, at his own expense.
- 26.3. The Respondent must pay a fine of £1,000 to the ECB by 31 January 2026. That fine has been mitigated down from the £3,000 suggested in the Discrimination Sanction Guidelines and the £2,000 maximum fine permitted in the Summary Procedure because of the Respondent's early admissions in interview and the fact he must pay for the equality and diversity course that he must now complete.

APPEAL

27. 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 is final and binding and there is no right of appeal from this decision.

Richard Whittam KC
Sole Arbitrator
London, UK
12 December 2025