



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

Before:

Christopher Coltart KC (Chair)
William Brown

BETWEEN:

CRICKET REGULATOR

and

MUSTAFA KAMAL

ADDENDUM TO DISCIPLINARY TRIBUNAL DECISION

Unless otherwise indicated, defined terms in this document have the same meaning as in the earlier judgment of 12 August 2026

INTRODUCTION

1. In our judgment of 12 August 2026 (**‘the Main Judgment’**), we found Charge 2(a) proved and dismissed the remaining Charges.
2. At paragraph 76 of the Main Judgment, we indicated our preliminary view that there was no reason for it not to be published in full but gave the parties the opportunity to make representations on that issue before finalising the decision.

3. MK has made written submissions seeking to withhold his name from the published version of the Main Judgment. These submissions come in the form of a document dated 19 August 2026, drafted by his solicitor, Andrew Farrugia. We are grateful to Mr Farrugia for setting out his client's position so clearly and cogently.
4. In short, Mr Farrugia submits that, in the particular circumstances of this case, the public interest in maintaining confidence in the integrity and regulation of cricket can be achieved without naming his client in the published version of the Main Judgment. That being so, it is neither necessary nor proportionate to name him and the Tribunal should direct accordingly.
5. For the reasons set out in this addendum to the Main Judgment, we disagree. We start with the applicable legal framework.

THE LEGAL FRAMEWORK

6. The issue of publication is addressed in the DPRs at Regulation 12. In so far as relevant, this reads as follows:

12.3 Notwithstanding Regulation 12.1 above, and subject to applicable law, unless there are exceptional or extenuating circumstances, to be determined at the sole discretion of the Director of the Cricket Regulator, the Cricket Regulator shall publish the following:

12.3.1 the name of any Participant that has been charged pursuant to these Regulations;

12.3.2 the Charge;

12.3.3 whether the case will be dealt with under the Summary Procedure or heard by a Disciplinary Tribunal; and

12.3.4 confirmation that the Cricket Regulator will provide no further comment until the case has concluded and a decision has been issued.

12.4 *The Cricket Regulator shall publish all written decisions of Sole Arbitrators, Disciplinary Tribunals and Appeal Panels in full online and any Participants shall be deemed to have provided their full and irrevocable consent to such publication, unless the Sole Arbitrator, Cricket Discipline Panel or Appeal Panel (as applicable) determines for any reason that it is appropriate that the written reasons should be redacted, only be published in part or not published at all.*

7. The starting point, therefore, is that whilst the Tribunal has a discretion to order the withholding of MK's name from publication, there is a presumption that the Main Judgment will be published in full. This serves legitimate regulatory purposes, in that it promotes transparency and accountability, maintains confidence in the integrity of the sport, provides guidance to participants as to the standards expected of them and has a deterrent effect on others.

THE SUBMISSIONS ADVANCED ON BEHALF OF MK

8. Mr Farrugia does not take issue with the legal principles set out above. In seeking to persuade us, however, that our discretion should be exercised in favour of anonymity, he relies on the following matters:
- i) In circumstances where MK simply made an honest mistake in reliance on inaccurate information provided by his client, it is disproportionate to name him publicly, with all the consequences which follow (see below);
 - ii) Withholding his name would be consistent with decisions in earlier cases with similar facts and outcomes;
 - iii) Once published online, the decision can be accessed indefinitely and may create continuing reputational consequences long after the proceedings have concluded; and

iv) These consequences will be particularly severe for MK, given his current position as a paralegal and his ambition to qualify and practise as a solicitor.

9. We address these submissions below and set out our findings.

ANALYSIS AND CONCLUSIONS

10. We start with the nature of the misconduct (per paragraph 8(i) above). Whilst the Tribunal fell short of making a finding of dishonesty in this case, characterising events as a simple mistake based on inaccurate information significantly understates the position. On our findings, MK recognised a risk that his email to the ECB was misleading and unreasonably went ahead and sent it nonetheless. In doing so, he acted unethically and failed to reach the standards of fair dealing and integrity required of him. On the face of it, therefore, there is a significant public interest in the Main Judgment being published in full.
11. As for the suggestion that anonymity would be consistent with previous decisions (paragraph 8(ii) above), no such authorities have been cited to us. We doubt that they would have made a material difference in any event. Inevitably, each case turns on its particular facts and on the wording of the regulations in question.
12. In relation to the fact that the decision may be available online long after the decision has been issued (paragraph 8(iii) above), this is not sufficient reason of itself to order anonymity. If it were, names of respondents would never be published. Not only would that significantly undermine the principle of deterrence, which is important, but it would also be inconsistent with the wording of Regulation 12.4, by which respondents consent to publication in full (subject only to our discretion to direct otherwise).

13. The real issue in this case, therefore, is whether some form of exemption ought to be made for MK based on his current employment and ambition to become a solicitor (paragraph 8(iv) above). We see no justification for giving him preferential treatment on this basis. Indeed, any right-minded member of the public would consider this a very odd outcome indeed. Given his position in the legal profession, and his stated ambition to progress within in it, he ought to have taken particular care to ensure that his communications with the ECB were accurate rather than recklessly misleading. He cannot now complain about the consequences of publication as a result.
14. The factors set out above are sufficient for MK's application to fail. For completeness, however, we mention one final matter, namely the obligation on MK to self-report the findings in the Main Judgment to the Solicitors Regulation Authority ('SRA').
15. MK will want to consider carefully the extent to which he is already under the jurisdiction of the SRA and, if so, whether the obligation to self-report has been triggered. Even if he concludes that it has not, it seems inevitable that he would have to disclose the Main Judgment to the SRA on any application for admission to the Roll of Solicitors. In that event, anonymity now would serve only a limited purpose in due course.



Cricket
Discipline
Panel

SUMMARY OF OUTCOME

16. MK's application for anonymity is refused. The Main Judgment may be published in full.

A handwritten signature in blue ink, appearing to read 'Chris Coltart'.

Christopher Coltart KC

For and on behalf of the Disciplinary Tribunal

London, UK

25 August 2026