

By virtue of becoming a member club of the Belgian Cricket Federation (BCF), it is implicit that clubs, and their players, members, and officers, accept the constitution of the BCF and in particular abide by this Code of Conduct (CoC), the powers of the League Committee (LC), and the Disciplinary Panel (DP) in relation to conduct and breaches of the rules. This includes the procedures specified below, and they undertake to be bound by them including the powers of suspension.

This Code of Conduct covers all BCF organized competitions: Including:

- Twenty20 Cup
- League
- Senior Citizen Memorial
- BCF Kings Cup
- BCF Indoor Tournament

Reports alleging breaches of this Code of Conduct by nominated players and their substitutes in Belgian competition matches shall be handled by the DP. Sanctions may be levied against clubs as a result of misbehavior by nominated players and their substitutes while representing them during the course of a match and, on occasions, afterwards as well.

In most instances, the Code of Conduct will be applied only to incidents reported during Belgian competition matches (see 4.3 for parameters) but some offences will be regarded as breaches at whatever time they are committed (this could be weeks, months, or even years after the match in question) notably sections 1.6 and 2.2 regarding public criticism and inappropriate comments about match officials or match related incidents as well as any other conduct that is unbecoming to the status of the game and/or likely to bring the game into disrepute. Such behavior may be investigated under this Code of Conduct as soon as it is reported from whatever source and by any medium to a member of the League Committee.

For all other reports and complaints, the League Chairman shall decide whether they are best investigated by the League Committee or the Disciplinary Panel either under this Code of Conduct or under other prevailing League Regulations.

After a case has been heard by either the DP or the LC; if it goes to appeal it will be heard by the Appeals Panel and not the DP or the LC.

No member of the BCFEC (Except the League Chairman) should be allowed to sit on either of the following institutions: The Appeals Panel, The Disciplinary Panel or the League Committee.

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1. Offences and Penalties

Based on the ICC Code of Conduct, there are 4 levels of offences to be considered in this Code of Conduct when players and clubs are reported either by umpire(s), by a recognized club officer, or anyone else entitled by the league regulations to make a report. Upon the request of the League Chairman, the Disciplinary Panel will convene to establish whether the player(s) or club(s) reported shall have a case to answer.

- a) **A Level 1 offence is the least serious with lower penalties and players sanctioned will have no automatic right of appeal – but see c) below.** (See Player Sanctions section for full list).
- b) **Level 2, 3 and 4 offences are progressively more serious with higher penalties but parties sanctioned do have a right of appeal.** (See Player Sanctions section for full, list). Level 3 offences carry a minimum 3 match suspension which may be increased depending on the seriousness of the incident and Level 4 sanctions range from a minimum 6 match suspension up to a permanent ban for the player or official concerned.
- c) Notwithstanding the provisions of **a)** above, a player will also have the right of appeal where – in a single match - he is sanctioned for more than one incident up to the time when the scoresheet is signed.
- d) Where the facts, complexity, or seriousness of the alleged incident mean that it cannot be bracketed as one of the listed offences referred to in **a)** and **b)** above – for example, fighting between the teams, pitch incursion by players, members, officers, supporters, or spectators, or any other exceptional circumstance not adequately or clearly covered by any of the above offences – once the umpire, official or club has made a report the Disciplinary Panel has the discretion to find the reported party guilty at any of the 4 levels mentioned above, under either:-
 - (A) Unfair Play including any Conduct Contrary to the Spirit of the Game.
 - (B) Conduct Unbecoming of the Game's Status or Conduct which Brings the Game into Disrepute.
- e) To be valid, the Incident report must be emailed, or faxed to the BCF League Chairman and the BCF Office (BCFO) by Wednesday midnight following the incident. Additionally, procedures outlined under the Notes in 3, 4, and 5 have to be followed.
- f) Where a complaint is registered after the deadline mentioned in **e)** above, and the League Chairman in consultation with the League Committee considers the potential offence to be one of a sufficiently serious nature because of what took place and its potential to bring the game into disrepute, then it will still be eligible for investigation – without prejudice - under this Code of Conduct provided written clearance from the BCF Executive Committee (BCFEC) is obtained. In any circumstances, complaints received after 23h00 on the fifth working day following the incident shall not be considered.
- g) The Disciplinary Panel will review reports relating to all offences, conduct interviews as and when required (by email, phone or in person) and convene, when necessary, at its convenience. Meetings involving players/umpires/clubs will be scheduled where possible to meet their preferences and dates will be confirmed at least 7 days in advance and may only thereafter be changed by the Disciplinary Panel. It reserves its right, according to the factors behind each case, to conduct its hearings with the relevant parties either simultaneously or at different times, in person or by phone, as it sees fit. Parties invited are expected to be represented or at least to be available by phone during the scheduled meeting time.

- h) Clubs can be sanctioned following a reported incident only if a group of their players commit a collective offence (see Club Sanctions section) – whether such an offence has been committed will be decided upon by the Disciplinary Panel. Captains of club teams can be held responsible for the conduct of their players.
- i) Although it will not by itself change the BCF's disciplinary process following such a reported incident, internal disciplinary action by clubs is strongly recommended. If considered appropriate, and the Disciplinary Panel is duly informed in writing by the club(s) in question, this may be taken into consideration when determining possible penalties in situations where they are to be levied against a club.
- j) Persistently offending players can expect to be dealt with severely. Any player found guilty of a second offence in any three consecutive calendar years will automatically be deemed to have a previous record of misconduct and penalized accordingly. Additionally, a player found guilty of a level 3 or level 4 will have his past record of misconduct back to 1 January 2020 taken into account.
- k) The Disciplinary Panel has the power to request a player to make an official written apology to any appropriate party for his misconduct. This must be done within a specified time frame and should this not be done the Disciplinary Panel shall reconvene and further sanctions shall be imposed additional to those already given. Under this section, the Disciplinary Panel shall have the power – with no recourse to appeal - to suspend a player for a maximum of two further matches. Where the sanction is against a club, up to 20% of the maximum number of points attainable in a match may be deducted.
- l) Where applicable, penalties that couldn't be carried out in the current season will be carried forward to the following season.

2. Player Sanctions

Level 1

The Offences set out at 1.1 to 1.7 below are Level 1 Offences.

The penalty for a Level 1 Offence will depend on the previous record of the player concerned:

- a) The penalty shall be an unconditional 1 match ban suspended for 12 months from the date of the incident, except for b) below.
- b) Where a second offence under the BCF Code of Conduct has been committed in any three consecutive calendar years, the penalty shall be (unconditionally) an immediate 1 match ban plus an additional 1 match ban, suspended for 12 months, which shall run from the originally scheduled date of the match to be missed (*or final match to be missed where a suspended ban in force from a previous offence crystallises*).

It therefore follows that a player who is found guilty of a second offence at Level 1 committed while any suspended 1 match ban remains in force from a previous offence would be immediately suspended for 2 matches (possibly more if the previous offence was at Level 3, definitely more if Level 4) as the suspended match ban(s) from the previous offence would have been automatically triggered. Players are therefore advised to be careful while suspended match ban(s) are still in force.

- 1.1 Abuse of cricket equipment or clothing, ground equipment or fixtures and fittings.
- 1.2 Showing dissent at an umpire's decision by action or verbal abuse.
- 1.3 Using language that is obscene, offensive or insulting and/or the making of an obscene gesture.
- 1.4 Excessive appealing.
- 1.5 Pointing or gesturing towards the pavilion in an aggressive manner by a bowler or other member of the fielding side upon the dismissal of a batsman.
- 1.6 Public criticism of, or inappropriate comment on a match related incident or a match related official. [See also 2.2].
- 1.7 Captains only – actions considered unhelpful (including unreasonably passive ones) where this is considered to have worsened a situation where one of his players is reported and subsequently sanctioned under this Code of Conduct. Players, other than the nominated captain, may also be sanctioned if they are considered to have been acting as a captain.

Level 2

The Offences set out 2.1 to 2.9 below are Level 2 Offences.

The penalty for a Level 2 Offence will depend on the previous record of the player concerned:

- a) The penalty shall be (unconditionally) an immediate 1 match ban plus a further 1 match ban, suspended for 12 months, which shall run from the originally scheduled date of the match to be missed (*or final match to be missed where a suspended ban in force from a previous offence crystallises*), except for b) below.
- b) Where a second offence under the BCF Code of Conduct has been committed in any three consecutive calendar years, the penalty shall be (unconditionally) an immediate 2 match ban plus an additional 1 match ban, suspended for 12 months, which shall run from the originally scheduled date of the final match to be missed.

It therefore follows that a player who is found guilty of a second offence committed while any suspended 1 match ban remains in force from a previous offence would (subject to appeal) be immediately suspended for 3 matches as the suspended 1 match ban from the previous offence would have been automatically triggered. Players are therefore advised to be careful while suspended match ban(s) are still in force.

- 2.1 Showing **serious** dissent at an umpire's decision by action or verbal abuse.
- 2.2 **Serious** public criticism of, or inappropriate comment on a match related incident or a match related official. [See also 1.6].
- 2.3 Inappropriate and deliberate physical contact between players in the course of play.
- 2.4 Charging or advancing towards the umpire in an aggressive manner when appealing.
- 2.5 Deliberate and malicious distraction or obstruction on the field of play.
- 2.6 Throwing the ball at or near a player, umpire or official in an inappropriate and/or dangerous manner.
- 2.7 Using language that is obscene, offensive or seriously insulting and/or the making of an obscene gesture to another player, umpire, referee, team official or spectator.
- 2.8 Changing the condition of the ball in breach of Law 42.3.
- 2.9 Captains only - any attempt to manipulate a match in respect of the result, net run rate, bonus points or otherwise. Players other than the captain nominated on the team sheet considered by the umpires to be acting as captains may also be sanctioned.

Level 3

The Offences set out at 3.1 to 3.3 below are Level 3 Offences.

The penalty for a Level 3 Offence shall be a minimum 3 match to a maximum 6 match ban for the player concerned (depending on the player's previous disciplinary record), plus an additional ban for 1 or 2 matches, suspended for 12 months, which shall run from the originally scheduled date of the final match to be missed.

It therefore follows that a player who is found guilty of a second offence committed while any suspended ban remains in force from a previous offence at Level 3 would (subject to appeal) be immediately suspended for those match(es) from the Level 3 punishment plus others applicable for the second offence. The suspended ban from the Level 3 offence would be deemed to have been automatically triggered. Players punished for serious offences are advised to be particularly careful while suspended match bans are still in force.

A repeat of any Level 3 offence within 12 months shall result in a minimum 6 match suspension.

- 3.1 Intimidation of an umpire or official whether by language or conduct.
- 3.2 Threat of assault on another player, team official or spectator.
- 3.3 Using any language or gestures that seriously offends insults, humiliates, intimidates, threatens, disparages or vilifies another person on the basis of that person's race, religion, gender, colour, descent or national or ethnic origin.

Level 4

The Offences set out at 4.1 to 4.3 below are Level 4 Offences.

The Penalty for a Level 4 Offence shall be a minimum 6 match ban to a permanent ban for the player concerned (depending on the player's previous disciplinary record), plus an additional ban for a minimum 2 matches, suspended for 12 months, which shall run from the originally scheduled date of the final match to be missed.

4.1 Threat of assault on an umpire or official.

4.2 Physical assault on another player, umpire, referee, official or spectator.

4.3 **Any act of violence on the field of play.**

It therefore follows that a player who is found guilty of a second offence committed while any suspended ban remains in force from a previous offence at Level 4 would (subject to appeal) be immediately suspended for those matches from the Level 4 punishment plus others applicable for the second offence. The suspended ban from the Level 4 offence would be deemed to have been automatically triggered. Players punished for serious offences are advised to be particularly careful while suspended match bans are still in force.

Sanctions against players will, except in the most serious cases, be defined by a number of matches to be missed. These will be specified in the report made by the Disciplinary Panel and be based from the earliest matches in any competition the club is due to play according to the latest versions of the competition fixture lists available at the time of the report. Therefore:

- An offence committed in the Twenty20 Cup could result in matches being missed in either that competition or the League.
- An offence committed in the League could result in matches being missed in either that competition or the Twenty20 Cup.

For the purpose of defining sanctions and matches to be missed, matches in the Twenty20 Cup and the League shall be considered to be of equal status notwithstanding their anticipated duration.

3. Club Sanctions

Whilst a majority of situations to which this Code of Conduct will apply will arise from players being reported as individuals, all parties should note that sanctions permitted against clubs and their rights of reply are covered under Offences and Penalties d) e) f) g) h) and i), and Notes 2, 3, 4, 5, 8, 9 and 10.

Collective Bad Behavior

The Code of Conduct covers club misdemeanors where there is alleged collective bad behavior from a group of team members (to be decided upon by the opinion of the Disciplinary Panel). There is no stipulated lower limit to the numbers of players who will be considered a group for the purpose of this Code of Conduct, and teams and their supporters are reminded to take particular care to ensure umpires are not surrounded in a threatening manner by groups of players and/or club supporters at any time before, during, and after a match.

Unauthorized pitch incursions by team member(s), identifiable supporter(s), member(s), or officer(s) of a club – or any combination thereof – are included under this caption and in certain cases so could the actions of individuals acting alone.

Repeated Misbehavior by Club/Team Members

Repeated offences by a club's players on a more individual basis are unacceptable. In accordance with section 1 of the Preamble to the Laws of Cricket, captains will be held responsible for the conduct of their team.

Sanctions against Clubs

After finding that a collective offence has been committed by a group of a club's players – the Disciplinary Panel may deduct up to the maximum number of points attainable in a match. The penalty against a club for a club offence shall remain related to the competition in which that offence took place – for instance an offence committed (say) in the Twenty20 Cup may only be penalized with reference to that competition and not the League. Where applicable, penalties against clubs may be carried forward to the following season.

If damage has been caused to any property, the Disciplinary Panel additionally may order compensation to the aggrieved party as part of the penalty.

Whenever the Disciplinary Panel considers the offence committed to be of a particularly serious nature, requiring more severe sanctioning beyond its own powers, it will write with its recommendations to the BCF Executive Committee whose decision will be sent back to the DP Chairman who will then finish up his report including the verdict from the BCFEC, and then send it the BCF Office for distribution.

As this not a level one offence the club will still have the right to appeal against the decision.

Sanctions against Teams and Captains

Where player incidents are committed in three separate matches by the same club's team within a 12-month period, the nominated captain on the day for the third match will be deemed to have breached the Code of Conduct at Level 1 which shall be considered to be part of his disciplinary record. This will be regarded as a uniquely separate incident and thus the penalty will be additional to and independent of any other misdemeanors the captain might have been reported for under the Code of Conduct in that third match. The sanction upon the captain shall be (unconditionally) an immediate 1 match ban without recourse to appeal but the additional 1 match ban, suspended for 12 months, will not apply.

This is considered a team rather than a club offence for the purposes of clubs with more than one team in the league, so (for example) a well behaved second team captain would not be unfairly penalized by a badly behaved first team.

Furthermore, players other than the captain nominated on the team sheet considered by the umpires to be acting as captains may also be thus sanctioned.

4. Notes

CLUBS, THEIR PLAYERS AND OFFICIALS ARE REMINDED THAT – AT ALL TIMES – THEIR COMMUNICATIONS ON ALL MATTERS COVERED UNDER THIS CODE OF CONDUCT MAY ONLY BE SENT TO THE LEAGUE CHAIRMAN AND THE BCF OFFICE. APPROPRIATE CONFIDENTIALITY MUST BE RESPECTED ON ALL OCCASIONS. ANY PROLIFERATION BEYOND THIS MAY PREJUDICE THE CLUB'S OR PLAYER'S RIGHTS AND – ADDITIONALLY - COULD BE REGARDED AS A VIOLATION OF THE CODE OF CONDUCT UNDER EITHER 1.6 OR 2.2 AND BE PENALISED ACCORDINGLY.

1. THE CAPTAIN IS RESPONSIBLE FOR THE CONDUCT OF HIS TEAM – as clearly stated in Section 1 of the Preamble to the Laws of Cricket. While it is acknowledged the Captain cannot physically prevent every incident from taking place and due allowance has to be made for the fact he will be acting as the spokesman for his team, the Captain's role in any incident shall be considered by the Disciplinary Panel and if either his actions or lack of leadership are considered to have unnecessarily inflamed the situation, sanctions against the captain and club may also be handed out (see 1.7 and 2.9). This will apply both to captains nominated on the team sheet and any other players whom the umpires believe to have been acting as a captain during the course of the incident / match.
2. Teams are reminded that during play only those players who are legitimately allowed to be there should be on the field of play. The only exceptions are players bringing on drinks during the drink's interval, a player bringing on an item of equipment for the batsman (bat, gloves etc.), if there has been an injury to a batsman, a player coming on to act as umpire.
 - Captains should not enter the field of play during any of the drinks breaks or any other interval, unless there is a serious injury.
 - Clubs could face sanctions from either the League Committee or the Disciplinary Panel for unauthorised pitch incursions by supporters, members, and officials.
3. Umpires must report any breach of the Code of Conduct, directed at them or otherwise, arising while they are present at the ground up to the time when the umpires sign the scoresheet. Umpires have the right to, and indeed should, report abuse directed towards them at the ground after signing the scoresheets – see 4 below. The umpires making a report are required to communicate their intention verbally to the player and his captain within 20 minutes of the conclusion of the match. Where the match is abandoned due to bad weather, it will be considered concluded when the umpires formally decide that no further play is possible and not from when the players finally left the field. Speaking to the offending player and captain formally (together with his colleague) will suffice for the purposes of meeting this requirement. Players to be reported by the umpires should be mentioned by name on the match scoresheet. This needs to be done in addition to sending their joint written report to the BCF Office by Wednesday midnight in Belgium following the incident.

4. It is recognized that there could be some instances where it may not be possible for the umpires to fulfill all the immediate post match requirements – i.e. an incident of a serious or threatening nature, or if player and/or captain shout at or abuse the umpires when being spoken to after the match, or where for any reason the player or captain is unavailable because they have left early, or where there is an excessive delay by either side in producing the match result sheets. If the umpires have been unable to fulfill all immediate post match requirements mentioned in note 3 above, they must make a communication the same evening to the League Chairman to explain the circumstances behind the situation as well as sending in their Incident report by Wednesday midnight in Belgium following the incident. The same procedure will apply where the umpires need to report abuse directed at themselves before leaving the ground but after signing the scoresheets. The League Chairman shall take note of the explanations and inform the club at the earliest opportunity.

5. When a report is received, it will be forwarded to the club's League Representative after which the club OR player (but not both) may send the BCF Office a response before 12h00 on the second working day following receipt of the report. For any response, there may be one communication only per player reported, and this must come from either the Club's Captain nominated on the team sheet on the day of the match, or Fixture Secretary, or League Representative or the player or players concerned. A club may wish to quote some comments that the player may specifically wish to make in its report. Should it be the player and not the club making the report, the player must state whether or not his statement is supported by the club, in which case official club support (from the League Representative) must be indicated with the report. The response from the club or player may only be directed to the League Chairman and the BCF Office who together will decide the appropriate communication to the relevant parties. The Disciplinary Panel will ignore any response proliferated to a wider audience. Any apology communicated at this stage would be both welcome and accepted and, in the case of potentially more serious incidents, this may mitigate the final sanction imposed.

6. For individuals, a penalty wherever possible will be defined by a number of matches, but for more serious offences the penalty can be defined in terms of a period of time, exclusion from the BCF for a specified period, or in extreme cases a permanent ban. The Disciplinary Panel will wherever possible specify the matches to be missed and reserves its right to reconsider them in unusual circumstances (e.g. when there are defaults or rearrangements). Where a match to be missed is a no result, the individual will miss all the replay(s) of that match. Where a match to be missed is not played due to a default by the individual's own club, then this shall not count as a match missed and the next match due to be played in shall be missed. However, where a match to be missed is not played due to an opposing club defaulting, then the match concerned shall count as a match to be missed. For clubs with more than one team bans will be served for the team with which the offence is associated - however it will effectively be assumed both teams play simultaneously using entirely different players so a player may not appear for another team while serving his ban.

7. A suspension comes into effect two full working days after notification. This notification will be deemed to have been given the moment the League Chairman (or whosoever acting for him) sends the email and not when the club opens that email. In view of the time that may be needed to collect all the information, especially in more serious cases, the Disciplinary Panel will not always reach its decision before the player's next match and in this case the player is free to play until the Disciplinary Panel's decision is reached and communicated (for example should this be during Thursday of a normal working week with no intervening public holidays the suspended player would be free to play for the next weekend since the suspension would not be effective until midnight the following Monday) . In an extreme case, the League Chairman with the authorisation of the BCF Executive Committee may decree that a player be suspended indefinitely before the decision is reached by the Disciplinary Panel – but such a decision would be wholly and completely outside the jurisdiction of the Disciplinary Panel.
8. **In the case of a club** – and that only after a collective offence (see Club Sanctions section) has been committed by a group of its players – the Disciplinary Panel may deduct up to the number of points attainable in a match.
 - If damage has been caused to any property, the Disciplinary Panel additionally may order compensation to the aggrieved party as part of the penalty.
 - Whenever the Disciplinary Panel considers the offence committed to be of a particularly serious nature, requiring more severe sanctioning beyond its own powers, it will write with its recommendations to the BCF Executive Committee whose decision will be sent back to the DP Chairman who will then finish up his report including the verdict from the BCFEC, and then send it the BCF Office for distribution.
 - As this not a level one offence the club will still have the right to appeal against the decision.
9. Should an appeal be made by a player or club punished for an offence by the decision(s) of the Disciplinary Panel, the appeal will be referred to the Appeals Committee, with no Disciplinary Panel member party to the initial decision, nor any executive committee member of a club involved in the incident to take part. Where an appeal is made the following must be complied with and **if any of these conditions are not met then any appeal will be null and void.**
 - Notice of intention to appeal must be given to the BCF Office by the player or club before 23h00 on the second working day (Belgian public holidays falling on weekdays will not count as working days) following the decision of the Disciplinary Panel being communicated to the club. Where the appeal comes directly from the player his club's League Representative must be explicitly copied.
 - An appeal must be made for each player. Where a player has been involved in more than one incident, all the incidents which that player was involved in shall be reviewed. Where an appeal is to be lodged involving two or more players, a separate document must be prepared for each player since there will be more than one separate appeal decision to be made. This is important to understand when sending in the appeal documentation and for ensuring the correct deposits are paid (see below). The Disciplinary Panel will attempt to split its report into suitable annexes to facilitate this.

- Each appeal must be made in writing and delivered, posted, emailed, or faxed to the BCF Office in the 7 days following the notification of the decision of the Disciplinary Panel to the club. Where the appeal involves more than one player, each appeal must be made as a separate document per player.
- For any appeal against a decision made by the Disciplinary Panel under the jurisdiction of this Code of Conduct, a deposit of Eur 150 per appeal must be received on the BCF's bank account, from either the player or the club, by the same time (i.e. the 7 days following notification) as well. The player's name / team and the date of the match should be included along with the word APPEAL in any narrative on the bank transfer. The deposit will be fully refundable should the Appeals Committee decrease the overall aggregate penalty for a player. Should the overall aggregate penalty be increased or maintained, the deposit will not be refundable and the funds will be put towards the development of junior cricket in Belgium.
- The parties involved in the dispute along with specific witnesses (where applicable) will be interviewed and heard by the Appeals Committee which will endeavor to meet within 14 days of the appeal being received and it shall give its decision in writing within 3 working days of its final meeting. The Appeals Committee will meet on a working day at its convenience while trying where possible to arrange its meeting at suitable times for other parties, giving at least 10 days' notice of the meeting which can only subsequently be changed by the Appeals Committee. Parties invited are expected to make sure they are represented either in person (or by phone with the permission of the Appeals Committee).
- Once the Appeals Committee has given its verdict, the revised schedule of matches which are to be missed (where applicable) shall be recalculated by a Disciplinary Panel tribunal which will communicate the information to the League Chairman. The League Chairman shall notify the club and the revised suspension comes into effect two full working days after notification exactly as it would in note 7 above.

10. Rights of appeal against decisions reached by the Disciplinary Panel are as follows:

- Player - an appeal can be made either for sanctions against a player for punishments for the committing of level 2, 3 or level 4 offences or where he is sanctioned in a single match for more than one incident up to the time the scoresheet was signed. Procedures in note 9 must be followed.
- Club – an appeal may be lodged for any sanctions imposed following the report of an umpire. In the event of a club v club dispute, either club may appeal against the decision. Procedures in note 9 must be followed.
- Umpires – in extreme cases BCF League Committee may lodge an appeal against a decision where umpires have reported serious abuse directed at themselves, either from player(s) (when thought by BCF LC to merit Level 3 or 4 sanctions), or collective bad behavior by a group of players or club supporters. No deposit will be required but all other procedures of note 9 must be followed.

The decision of the Appeals Committee is final and binding.

Be advised: That the Appeals Committee may decrease, maintain, or increase the penalty imposed by the Disciplinary Panel.