

Mr Julian Knight MP  
Chair, Digital, Culture, Media and Sport Select Committee  
House of Commons  
London  
SW1A 0AA

Monday 22 November 2021

Dear Mr Knight

I want to thank you and the Committee for inviting me to give oral evidence last week and for the way you and colleagues conducted the sensitive, and at times, distressing evidence from Azeem Rafiq.

I hope the Committee found my contribution to your inquiry of help and I look forward to your report.

One area where there was lack of clarity from the England and Wales Cricket Board (ECB) was around their actions at the outset of the serious allegations first made by Azeem Rafiq on 17 August 2020, a few months into my role as Chairman.

The issues centre around the following four points:

1. The ECB did not step forward to investigate;
2. The ECB did not suggest to Yorkshire County Cricket Club (YCCC) that the ECB should investigate;
3. On 4 September the ECB said it would not investigate;
4. The ECB has subsequently, consistently, said it could not investigate.

I listened with interest to the oral evidence given by the ECB to the Committee. I want to put on record that on 4 September 2020 the ECB informed me that they wanted to keep at arm's length and would not investigate the allegations made by Azeem Rafiq or assist with an independent investigation. Indeed, at no stage before being informed of the ECB's position on 4 September 2020 - contrary to the ECB's oral evidence - did I speak with Mr Harrison, Mr Botros or any other official at the ECB other than the then Chair, Ian Watmore.

I also want to make clear to the Committee that I and the other non-Executive members of the YCCC Board agreed we must investigate the allegations and that this would be the platform for change the Club needed. As parttime volunteers with no prior experience of how an independent investigation should be run, we just knew there should be one, in hindsight we should have been more insistent with the ECB.

On 4 September 2020 I discussed the situation with Mr Watmore, highlighting the severity of the allegations and the possibility that racism is a game wide issue. I asked for his help on the best way forward. I explained the difficulties YCCC would have in running the investigation. Mr Watmore said he thought it would be a good idea if the ECB got involved, not least given his experience at the Football Association at the time of allegations of child sexual abuse.

Sadly, Mr Watmore explained that the ECB was unable to assist the Club. His position was confirmed by email the following day, 5 September 2021. I was disappointed by the response, felt abandoned by the ECB and started to get advice on how to go about an independent investigation, it was at that point the Club engaged the law firm Squire Patton Boggs.

Clearly, this is in stark contrast to a statement made earlier this month by ECB Chief Executive, Tom Harrison who said on 4 November 2021 that the ECB had reached out repeatedly to help the Club. They had not.

When Mr Harrison said the ECB could help in the case of Essex earlier this month but not in the case of Azeem Rafiq because he had complained to Yorkshire, this was not correct either. Azeem had made a public statement he had not complained to the Club.

It is not the case that the Club insisted on investigating the claims itself I and the other non-Executives were adamant there should be a proper independent investigation and the Club should not be investigating itself, we would have been delighted if the ECB had taken responsibility for it.

I now know that that Azeem Rafiq's allegations would constitute alleged breaches of the ECB Directives and would therefore have fallen within the jurisdiction of the Cricket Disciplinary Commission. Once senior members of the ECB including the CEO, Chair or other executives were aware of the complaints they should have referred them to the ECB Integrity Team (CDC Reg.4.2) which should then have investigated (CDC Reg.4.3).

Since that date, I have privately and publicly complained to the ECB about the way they have distanced themselves from the shameful issue of racism in cricket. The system by which the ECB decided to investigate or not into any matter is, in my view, entirely unsatisfactory.

On reflection, the following three key changes should be made to the ECB:

1. Whilst this is not just about engagement and education, the ECB compare very poorly to other major sports on anti-racism, for example Kick It Out, football's equality and inclusion organisation. I call for a fundamental rethink of how cricket engages with our communities and better educates at the grassroots and throughout the game around all aspects of diversity, equality and inclusion;
2. The ECB need to engage better with the First Class Counties (FCC). There is a notable disconnect between the ECB and the FCC, and the pathways coaching that is supervised by the counties where a number of the issues surrounding discrimination arise. It is difficult for the FCC to challenge the ECB - they are the governors, paymasters and in many cases the main customer. This conflict should end;
3. I urge a constitutional change so that an independent body can initiate reviews and investigations, and those investigations can deliver sanctions where needed and, as with other professions or other regulated bodies, it could review all claims, including those made not only against FCC but the ECB itself.

I also wanted to put on record my relationship with Hammond Suddards, a law firm where I qualified as a solicitor in 1991 and left 3 years later in 1994, 27 years ago. In 2011, 17 years later it joined with Squire Patton Boggs, a law firm with international expertise in this part of the law. They advised there was absolutely no conflict of interest.

I want to thank you again for bringing greater public attention to this issue and for your invitation to give evidence.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Roger Hutton', with a long horizontal flourish extending to the right.

**Roger Hutton**